

ORDINANCE NO. 2025-06-23-D03-OR

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STARBASE, TEXAS, ADOPTING "THE SUBDIVISION ORDINANCE OF THE CITY OF STARBASE, TEXAS" PROVIDING REGULATIONS AND STANDARDS OF DESIGN AND CONSTRUCTION APPLICABLE TO THE SUBDIVISION AND DEVELOPMENT OF LAND AND CONSTRUCTION OF INFRASTRUCTURE WITHIN THE CORPORATE LIMITS OF THE CITY OF STARBASE AS SET FORTH IN EXHIBIT "A" HERETO, INCLUDING PART I, "ADMINISTRATIVE REGULATIONS" AND PART II, "DESIGN STANDARDS", INCLUDING APPENDIX A "PLAT APPLICATION REQUIREMENTS"; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING FOR THE ADOPTION OF "THE SUBDIVISION ORDINANCE OF THE CITY OF STARBASE, TEXAS"; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A MAXIMUM PENALTY RANGE OF FIVE HUNDRED DOLLARS (\$500.00) TO TWO THOUSAND DOLLARS (\$2,000.00) AS AUTHORIZED BY LAW, UPON CONVICTION FOR EACH OFFENSE, AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED UPON EACH DAY OR PART OF A DAY DURING ON OR WHICH A VIOLATION OCCURS OR CONTINUES; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, the City of Starbase, Texas (the "City"), is a Type C general-law municipality, incorporated pursuant to Chapter 8 of the Texas Local Government Code; and

WHEREAS, Chapter 212 of the Texas Local Government Code provides authority to the City to adopt rules governing plats and subdivisions of land within its jurisdiction in order to promote the health, safety, morals and general welfare of the City and the safe, orderly, and healthful development of the City after holding a public hearing on the adoption of subdivision regulations; and

WHEREAS, on June 18, 2025, a notice was published in the Brownsville Herald, a newspaper of general circulation within the City, notifying the public that a public hearing on the adoption of the Subdivision Ordinance of The City of Starbase, Texas (the "Subdivision Ordinance") would be held at a meeting of the City Commission of the City of Starbase (the "City Commission") on June 23, 2025 at 9:00 a.m. to receive public comment and consider adoption of the Subdivision Ordinance; and

WHEREAS, the proposed Subdivision Ordinance is comprised of Part I, entitled "Administrative Regulations" and Part II, entitled "Design Standards", and Appendices thereto; and

WHEREAS, Part I, Administrative Regulations provides procedures for the processing of applications submitted for the subdivision and development of land within the

incorporated limits of the City, provides various for plat types and exemptions from platting requirements, identifies the process and authority for approval of plats and other development applications, provides a process for a waiver from the requirements of the Subdivision Ordinance, and provides for the adoption of Appendix A, "Plat Application Requirements" thereto which provides a written list of documentation and other information required to be submitted with a plat application in accordance with Section 212.0081 of the Texas Local Government Code; and

WHEREAS, Part II, Design Standards, sets forth reasonable specifications relating to the construction of each street or road type based upon the amount and kind of travel over each street and establishes reasonable specifications that provide for adequate drainage for each street or road in accordance with standard engineering practices; and

WHEREAS, Part II also establishes reasonable guidelines and specifications for public and private improvements, including without limitation, sidewalks, water, wastewater and other utilities necessary to serve property; and

WHEREAS, on June 23, 2025, City Staff and consultants provided a presentation of the Subdivision Ordinance, responded to questions from the City Commission, received input, and at the conclusion of that presentation, the City Commission conducted a public hearing affording members of the public the opportunity to speak; and

WHEREAS, at its June 23, 2025 meeting, the City Commission, after holding a public hearing and considering all comments and recommendations of City Staff and consultants, did determine and find that adoption of the Subdivision Ordinance establishes requisite processes and procedures necessary to provide for orderly development of land with sufficient infrastructure necessary to support development within the City, and that the Subdivision Ordinance accurately reflects current policies and design goals; and

WHEREAS, the City Commission has determined that all procedural requirements for the adoption of the Subdivision Ordinance have been met, and that adoption of the Subdivision Ordinance of The City of Starbase, Texas as set forth in **Exhibit "A"** hereto, including the Appendices thereto, serves the best interest of the public health, safety, and welfare, and should be adopted.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF STARBASE, TEXAS:

SECTION 1. Findings Incorporated. The recitals set forth above are true and correct legislative findings of the City Commission and are incorporated into the body of this Ordinance as fully set forth herein.

SECTION 2. Adoption. The Subdivision Ordinance of The City of Starbase, Texas, establishing regulations for land development and infrastructure, and standards of design

and construction applicable to property located within the corporate boundaries of the City Starbase, Texas, is hereby adopted as set forth in **Exhibit "A", "The Subdivision Ordinance of The City of Starbase, Texas" – Part I, "Administrative Regulations" and Part II, "Design Standards", including Appendix "A", "Plat Application Requirements"**, copies of which are attached hereto and incorporated herein.

SECTION 3. Cumulative Repealer. This Ordinance shall be cumulative of State or Federal law and of all other ordinances of the City and shall not repeal any of the provisions of those ordinances except in those instances where the provisions of those ordinances are in direct conflict with the provisions of this Ordinance, in which event, the conflicting provisions of such other ordinances are hereby superseded.

SECTION 4. Severability. It is hereby declared to be the intention of the City Commission that the phrases, clauses, and sentences of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance, since the same would have been enacted by the City Commission without the incorporation of this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

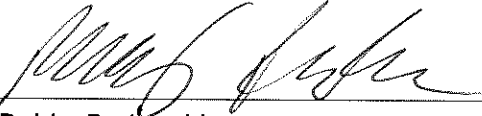
SECTION 5. Penalty. Any person, firm, entity or corporation who violates any provision of this Ordinance shall be subject to a fine not to exceed the sum of five hundred dollars (\$500.00) for each offense, and each and every day any such offense shall continue shall be deemed to constitute a separate offense, provided, however, that in all cases involving an intentional, knowing, reckless, or criminally negligent violation of any provision of this ordinance and/or a provision of this Ordinance governing fire safety, or public health and sanitation, shall be subject to a fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense, and each and every day any such offense shall continue shall be deemed to constitute a separate offense. The penal provisions imposed under this Ordinance shall not preclude the City from filing suit to enjoin the violation. The City retains all legal rights and remedies available to it pursuant to local, state, and federal law.

SECTION 6. Engrossment and Enrollment. The City Clerk is hereby directed to enroll and engross this Ordinance by reflecting the passage of this Ordinance in the minutes of the City Commission and by filing this Ordinance in the Ordinance Records of the City.

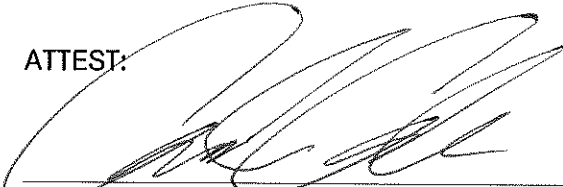
SECTION 7. Publication and Effective Date. This Ordinance shall become effective immediately upon its passage and publication as required by law.

DULY PASSED AND APPROVED by the City Commissioners of the City of Starbase, Texas
on the 23rd day of June, 2025.

CITY OF STARBASE, TEXAS


Bobby Peden, Mayor

ATTEST:


Caroline Cole, City Clerk



APPROVED AS TO FORM:


Wm. Andrew Messer, City Attorney

“Exhibit A”
The Subdivision Ordinance of The City of Starbase, Texas

**Part I, “Administrative Regulations” and Part II, “Design Standards”,
including Appendix “A”, “Plat Application Requirements”**

Part I.
Administrative Regulations

Chapter 1
GENERAL PROVISIONS

1.1. TITLE; AUTHORITY

- (a) This ordinance shall be known as The Subdivision Ordinance of the City of Starbase, Texas, and may also be referred to as the “Subdivision Ordinance”, or “this Ordinance.”
- (b) This Ordinance is enacted under authority of Chapter 212 of the Texas Local Government Code, as amended.

1.2. JURISDICTION

- (a) This Ordinance shall apply to all subdivisions of land located within the municipal boundaries of the City, as now or hereafter established. Therefore, every subdivision of land within the City shall be upon a plat, unless expressly excepted, and submitted to the Approval Authority for review and approval.
- (b) This Ordinance shall not apply to subdivisions of land located within the Extraterritorial Jurisdiction (ETJ) of the City, as now or hereafter established. If a plat is required by Cameron County for the subdivision of land in the ETJ, then in accordance with Chapter 242 of the Texas Local Government Code, as amended, upon request of the subdivider, the City shall issue a written certification stating that the City does not require the filing of a plat for the proposed subdivision.

1.3. POLICIES

It shall be the policy of the City that:

- (a) Land shall not be subdivided or developed until proper provision has been made for drainage, water, wastewater, transportation, and other facilities required by these regulations.

(b) All public and private facilities and improvements shall be of at least a minimum capacity necessary to adequately serve the development and shall conform to all applicable City Ordinances, as amended.

(c) In addition to these regulations, a development subject to these regulations must comply with applicable provisions of the Building Code, Zoning Ordinance, Flood Plain regulations, and all other applicable ordinances, policies, and regulations adopted by the City, the federal government and the State of Texas and their duly constituted agencies. These references do not imply any responsibility for the City to enforce regulations imposed by other governmental authorities unless such enforcement is expressly required.

(d) The procedure and standards for the development, layout and design of subdivisions of land within the corporate limits as provided in this Ordinance are intended to:

- (1) Protect the public interest by supervising the location, design, class, width and type of streets, sidewalks, utilities and essential areas and services required;
- (2) Provide for adequate light, air and privacy; establish safety from fire, flood and other danger; and prevent overcrowding of the land and undue congestion of population;
- (3) Provide for the circulation of traffic throughout the municipality, having particular regard to the avoidance of congestion in the streets and highways;
- (4) Provide for the adequacy of drainage facilities and safeguard both surface and groundwater supplies in order to preserve the integrity, stability and beauty of the community and the value of the land; and
- (5) Promote the public health, safety and general welfare of the community and the safe, orderly, and healthful development of the City.

1.4. REQUIREMENT TO PLAT FOR THE SUBDIVISION OF LAND

(a) Subdivision of Land. Pursuant to Section 212.004 of the Texas Local Government Code, the owner of a tract of land located within the City's corporate limits must prepare a plat and record the plat with the County Clerk if they intend to divide the tract in two (2) or more parts to lay out a subdivision, lots, buildings, streets, alleys, squares, parks, or other parts of the tract for public use.

(b) Plat Required. Any division of land subject to the provisions of this Ordinance requires a plat regardless of how the division of land was originally processed including:

- (1) A division of land made by using a metes and bounds description in a deed of conveyance, survey, or survey plat;

(2) A division of land made in or as a part of a contract for a deed, by using a contract of sale or other executory contract to convey a parcel or portion thereof, or by using any other method to convey; or

(3) A combination of two (2) or more contiguous Lots, for the purpose of creating one or more legal lots in order to achieve a more developable site, except as otherwise provided herein.

1.5. EXEMPTIONS

The Platting provisions of this Ordinance shall not apply in any of the following circumstances:

(a) Development of an existing Lot for which a legally approved and recorded Plat was filed of record in the Plat Records of Cameron County, Texas prior to the effective date of this Ordinance; or

(b) Sale, inheritance, or gift of land by metes and bounds, of tracts upon which no improvements, Subdivision, or alteration is occurring; or

(c) The division of land into tracts five (5) acres or larger in size:

(1) Where each new lot resulting from the parent tract is more than five (5) acres in size and no public infrastructure is required to be constructed or dedicated; or

(2) That does not involve or require any new street, alley or easement of access; and no Public Improvement is being dedicated. Provided however, if as part of a subdivision, any lot is proposed to be five (5) acres in area or smaller, the entire parent tract must be Platted.

(d) A division of land created by order of a court of competent jurisdiction, provided however, that prior to construction of improvements, a Plat meeting the requirements of this Ordinance shall be approved and recorded prior to the issuance of permits.; or

(e) Existing cemeteries complying with all State and local laws and regulations or new cemeteries; or

(f) Where multiple Lots are held by a single owner, either directly or beneficially, and those Lots qualify as a Zoning Lot as defined under the City's Zoning Ordinance.

1.6. BUILDING PERMITS

Except as expressly authorized or exempted herein, no building or other type of permit shall be issued by the City for construction, or repair of buildings or structures, unless there has been full compliance with the provisions of this Ordinance.

1.7. AMENDMENTS

This Ordinance may be amended by the City Commission following a public hearing in accordance with Tex. Loc. Gov't Code Chapter 212, § 212.002, as amended.

1.8 DEFINITIONS

The following words and terms, when used in this Ordinance, shall have the following meanings, unless the context clearly indicates otherwise.

Alley. A minor public right-of-way which is used primarily for vehicular service access to the backs or sides of properties otherwise abutting on a street and not intended to provide the primary means of access to abutting lots.

Applicant. The owner of land proposed to be subdivided or such owner's representative who shall have express written authority to act on behalf of the owner.

Application. Any application for a Plat or Construction Plans required in this Ordinance containing the documentation and information required in Appendix A, "Plat Application Requirements" of this Ordinance.

Approval Authority. The City staff person or governing body identified herein as having the authority to approve an Application required in this Ordinance.

As Built Drawing. Detailed engineering plans of Public Improvements or Private Improvements identifying such improvements as constructed.

Building Code. The International Codes authored by the International Code Council, including local amendments thereto, that have been adopted by the City.

City. The City of Starbase, Texas.

City Commission. The governing body of the City of Starbase, Texas.

City Engineer. A person licensed and authorized to practice engineering in the State of Texas under the Texas Engineering Practice Act and appointed by the City.

City Staff or Staff. An employee or third-party contractor of the City authorized herein or by the City Commission to accept, review, process, approve, condition, or deny an Application, or to provide an interpretation of a regulation contained in this Ordinance.

Construction Plans. The maps, drawings, studies, reports, plans and other documents required by this Ordinance to show the specific location and design of infrastructure Improvements to be installed by the Developer.

Construction Release. An authorization from the City Staff, City Engineer, or City Commission to proceed with construction of infrastructure as authorized by a plat, building permit, or other permit or approval issued by the City.

County Clerk. The Cameron County Clerk.

Cul-de-sac. A street having but one outlet to another street and terminated on the opposite end by a vehicular turnaround.

Design Standards. The Construction Standards, Details and Guidelines contained within Part II of this Ordinance, including all Appendices thereto.

Developer. The person responsible for any undertaking upon land that requires an approval in this Ordinance. The term includes the owner of property or an authorized representative of the owner acting on behalf of the owner.

Drainage Standards. The standards for design and construction of drainage improvements as set forth in **Section 6.7** of this Ordinance.

Drainage Plan. A report or study required to demonstrate compliance with the requirements of the Design Standards in Section 6.7 of this Ordinance.

Easement. Authorization granted by the property owner for the use by another of any designated part of his property for a clearly specified purpose.

Extraterritorial Jurisdiction. The extraterritorial jurisdiction of the City as provided by Tex. Loc. Gov't Code § 42.021.

Final Plat. A map of a Subdivision to be recorded as described in this Ordinance.

Homeowners Association or HOA. A legal entity, either incorporated or unincorporated, that manages or regulates a residential subdivision.

Lot. A tract, parcel, or portion of land identified by metes and bounds. This term may include a Platted Lot.

Lot Consolidation. A combination of tracts identified by metes and bounds and/or Platted Lots for the creation of a Zoning Lot as that term is defined in the Zoning Ordinance or as otherwise allowed in this Ordinance.

Minor Plat. A drawing described in this Ordinance indicating the proposed manner or layout of the lots.

On-Site Sewerage Facilities or "OSSF". A wastewater treatment system designed to collect, treat, and dispose of sewage on the same property where the sewage is produced.

Platted Lot. A tract, parcel, or portion of a platted subdivision intended as a unit for the purpose, whether immediate or future, of transfer of ownership or of building development.

Preliminary Plat. A preliminary drawing described in this Ordinance, indicating the proposed manner or layout of the Subdivision.

Property Owners Association or POA. A legal entity, either incorporated or unincorporated, that manages or regulates a commercial or industrial development.

Plat. A Preliminary Plat, Final Plat, Minor Plat, Conveyance Plat, Survey Plat, Vacating Plat and Replat.

Private Improvements. Any infrastructure improvement, regardless of whether it connects to a Public Improvement, which is necessary and either must or will be constructed to serve a Subdivision or Lot in order to meet the minimum requirements of this Ordinance. Private Improvements shall not be owned or maintained by the City but the City may ultimately assume responsibility for maintenance and operation pursuant to dedication by plat or separate instrument.

Private Street. A street serving as vehicular access to two or more parcels of land which is not dedicated to the public but is owned by one or more private parties.

Public Improvements. Any infrastructure improvement or amenity for which the City may ultimately assume responsibility for maintenance and operation pursuant to dedication by Plat or separate instrument, or an infrastructure improvement or amenity constructed and owned by the City for the public benefit.

Public Street. A street serving as vehicular access to two or more parcels of land which is dedicated to the public.

Public Water System. A system for the provision to the public of water for human consumption through pipes or other constructed conveyances, which includes all uses described under the definition for drinking water. Such a system must have at least 15 service connections or serve at least 25 individuals at least 60 days out of the year. This term includes any collection, treatment, storage, and distribution facilities under the control of the operator of such system and used primarily in connection with such system; and any collection or pretreatment storage facilities not under such control which are used primarily in connection with such system. Two or more systems with each having a potential to serve less than 15 connections or less than 25 individuals but owned by the same person, firm, or corporation and located on adjacent land will be considered a Public Water System when the total potential service connections in the combined systems are 15 or greater or if the total number of individuals served by the combined systems total 25 or more at least 60 days out of the year. Without excluding other meanings of the terms "individual" or "served," an

individual shall be deemed to be served by a water system if he lives in, uses as his place of employment, or works in a place to which drinking water is supplied from the system.

Replat. A modification of an existing recorded plat to create new lots or alter existing lot lines in such a manner as to require compliance with the replatting provisions of this Ordinance, or to adjust dedicated rights-of-way described in this Ordinance.

Retail Public Utility. Any entity meeting the definition of a retail public utility as defined in Water Code §13.002 or a provider of other public Utilities as defined herein.

Sewerage facilities. The devices and systems which transport domestic wastewater from property, treat the wastewater, and dispose of the treated water in accordance with the minimum state standards contained or referenced in these rules.

Street. A way for vehicular traffic, whether designated as a street, highway, thoroughfare, parkway, throughway, road, avenue, boulevard, lane, place, or however otherwise designated.

Subdivision. Any division or combination of land as described in Section 1.4, Requirement to Plat for the Subdivision of Land, of this Ordinance.

Survey. A property diagram that indicates legal boundaries, easements, encroachments, rights of way, improvement locations, and other characteristics of a parcel of land and prepared by a Surveyor.

Survey Plat. A development plan described in this Ordinance indicating the proposed manner or layout of the lots and other requirements of Section 3.8 of this Ordinance and prepared in a form required by State law to allow recording of the plan in the County plat records.

Surveyor. A licensed state land surveyor or a registered professional land surveyor, as authorized by state law to practice the profession of surveying.

Texas Local Government Code. The Texas Local Government Code, as amended.

Utilities. Water, sewage, electricity, telecommunications, storm water, and similar facilities providing service to and used by the public.

Utility easement. Authorization granted by a property owner to use a designated area of the property for the purpose of installation, improvement, and maintenance of utilities.

Water facilities. Any devices and systems which are used in the supply, collection, development, protection, storage, transmission, treatment, and/or retail distribution of water for safe human use and consumption.

Zoning Ordinance. The Zoning Ordinance of the City of Starbase, Texas.

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1.8 COSTS

The Owner of land being subdivided shall be responsible for costs of improvements as required by this Ordinance.

1.9 SURVEY MONUMENTS FOR SUBDIVISIONS

The Owner of land being subdivided shall be responsible for installing survey monuments for subdivisions. Monuments shall be permanent in nature and suitable for the purpose intended. Concrete monuments are recommended at subdivision corners, and each lot and block corner shall be marked by not less than a 1/2" diameter by 24" long reinforcing rod set at or below the existing ground level. At least two monuments shall be located at readily accessible sites within each subdivision. Monuments shall be set by or under the supervision of a surveyor prior to recordation of the Final Plat.

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Chapter 2

SUBDIVISION SUBMITTAL AND REVIEW PROCEDURES

2.1. SUBMISSION AND REVIEW PROCESS

(a) Written request. Every Application required by this Ordinance shall be submitted in writing in a format and on forms provided by the City and shall be signed by the Applicant or authorized representative. If signed by an authorized representative, the Application shall be accompanied by documentation of such authority. All Applications shall include the information required in **Appendix A** (defined in subsection (b) below) for the Application Type and shall be submitted to City Staff.

(b) Checklist. The City hereby adopts **Appendix A, "Plat Application Requirements"** to comply with Tex. Loc. Gov't Code § 212.0081. **Appendix A, "Plat Application Requirements"** contains all documentation and information that the City requires for submission with Applications.

(c) Fees. Every Application shall be accompanied by the fees identified in the Comprehensive Fee Schedule adopted by the City Commission for the Application Type. The City may require Applicant to pay fees charged to the City for review of Application by third-party vendors and consultants. Fees are non-refundable.

(d) Calendar. A submittal calendar to establish the filing dates for Applications submitted shall be established by the City Staff. The filing deadline shall be the official filing date for all Applications.

(e) Filing Date. No Application will be accepted for filing and processing by the City Staff until all documents and information required by **Appendix A, "Plat Application Requirements"** of this Ordinance is submitted and all required fees are paid by the Applicant.

(f) Approval Authority. The Approval Authority for each Application required by this Ordinance is set forth in **Table 2-1, "Approval Authority for Plats and Plans"** in this Chapter 2, Subdivision Submittal and Review Procedures. For avoidance of doubt, at any time city staff may defer approval to the City commission as provided for under Sec. 212.0065 of the Texas Local Government Code.

(g) Decisions.

(1) All Plats shall be approved, approved with conditions, or disapproved for reasons by the Approval Authority within thirty (30) days after the Plat application is filed.

(2) Extension for Decision. An Applicant may request an extension of an Application in accordance with Tex. Loc. Gov't Code § 212.009(b-2) if received in writing and signed by the Applicant. The City Commission may deny such request for extension and take action in accordance with subsection (1) above or may approve such request.

(3) Approval. The Approval Authority shall approve any Application in **Table 2-1, "Approval Authority for Plats and Plans"** that conforms to this Ordinance, the specific standards for approval for the Plat type, Design Standards, Zoning Ordinance, any other applicable ordinances, rules or regulations of the City, and with all applicable state and federal laws.

(4) Conditional approval. The Approval Authority may conditionally approve any Application when an Application does not fully conform with this Ordinance, the specific standards for approval for the Plat type, Design Standards, Zoning Ordinance and any other applicable ordinances, rules or regulations of the City, and with all applicable state and federal laws. The Approval Authority shall provide a written statement to the Applicant in accordance with Tex. Local Government Code § 212.0091 identifying the conditions and a citation to the applicable law or regulation that is the basis for the conditional approval.

(5) Disapproval. The Approval Authority may disapprove any Application that does not conform to this Ordinance, the specific standards for approval for the Plat type, Design Standards, Zoning Ordinance and any other applicable ordinances, rules or regulations of the City, and with all applicable state and federal laws. The Approval Authority shall provide a written statement to the Applicant in accordance with Tex. Local Government Code § 212.0091 identifying the conditions and a citation to the applicable law or regulation that is the basis for the disapproval. The Applicant may submit a written response to the disapproval in accordance with Tex. Loc. Gov't Code § 212.0093 at any time after such action by the Approval Authority. The Approval Authority shall consider and approve or disapprove a response submitted by the Applicant within fifteen (15) days in accordance with Tex. Loc. Gov't Code § 212.0093. If the response is disapproved, the Approval Authority shall provide a written statement to the Applicant in accordance with Tex. Loc. Gov't Code § 212.0091.

(h) Appeals. The Applicant may appeal the decision of the Approval Authority as set forth in **Table 2-1, "Approval Authority for Plats and Plans."** Appeals shall be filed in writing no later than ten (10) days after the written decision of the applicable Approval Authority.

2.2. SUBDIVISION WAIVERS/SUSPENSIONS

(a) Policy/Criteria. Where the City Staff or Commission as applicable finds that unreasonable hardships or difficulties may result from strict compliance with a certain provision(s) of the Subdivision Ordinance, and/or where the purposes of these regulations may be served to a greater extent by an alternative proposal, it may approve a

waiver/suspension from portions of these regulations so that substantial justice may be done and the public interest is secured, provided that the waiver/suspension shall not have the effect of nullifying the intent and purpose of these regulations, and further provided that the City Commission shall not approve a waiver/suspension unless it shall make findings based upon the evidence presented to it in each specific case that:

- (1) Granting the waiver/suspension will not be detrimental to public safety, health or welfare, and will not be injurious to other property;
- (2) The conditions upon which the request for a waiver/suspension is based are unique to the property for which the waiver/suspension is sought, and are not applicable generally to other property;
- (3) Because of the particular physical surroundings, shape and/or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is followed;
- (4) The waiver/suspension will not in any manner vary the provisions of the Zoning Ordinance or Comprehensive Plan, Future Land Use Plan, and other adopted plans, except that those documents may be amended in the manner prescribed by law; and
- (5) An alternate design will generally achieve the same result or intent as the standards and regulations prescribed herein.

(b) Conditions. In approving a waiver/suspension, the City Commission may require such conditions as will, in its judgment, secure substantially the purposes described in **Section 1.3, "Policies of this Ordinance."**

(c) Application. An application to petition for a waiver/suspension shall be submitted in writing by the property owner at the time when any type of plat application is filed for the consideration of the City. The petition shall state fully the grounds for the application, and all of the facts relied upon by the petitioner to establish that the petition complies with the Criteria set forth in subsection (a) of this Section.

TABLE 2-1, APPROVAL AUTHORITY FOR PLATS AND PLANS

Type of Application	Approval Authority	Final Authority / Appeal (As Applicable)
PLATS		
Amending Plat		
<i>Section 3.5</i>	City Staff	City Commission
Conveyance Plat		
<i>Section 3.6</i>	City Staff	City Commission
Survey Plat		
<i>Section 3.8</i>	City Staff	City Commission
Final Plat		
<i>Section 3.2</i>	City Commission	N/A
Minor Plat		
<i>Section 3.4</i>	City Staff	City Commission
Preliminary Plat		
<i>Section 3.1</i>	City Staff	City Commission
Replats		
<i>Section 3.3</i>	City Staff/City Commission (as applicable)	City Commission (if applicable)
Vacating Plats		
<i>Section 3.7</i>	City Staff/City Commission (as applicable to original plat)	City Commission (if applicable)
PLANS		
Construction Plans		
<i>Section 3.9</i>	City Staff	N/A
AGREEMENTS		
Facilities Agreements		
<i>Section 3.2(e)</i>	City Staff	City Commission

Chapter 3

TYPES OF PLATS AND PLANS

3.1. PRELIMINARY PLAT

- (a) **Applicability.** A Preliminary Plat application shall be submitted to subdivide a parcel of land into five (5) or more lots prior to the applicant submitting a Final Plat where Public Improvements are required and/or where Platted Lots are necessary for the transfer of ownership to individual property owners.
- (b) **Application.** Preliminary Plat applications shall include all information in the Plat Checklist in **Appendix A, "Plat Application Requirements."**
- (c) **Standards.** The Approval Authority shall determine that the Preliminary Plat meets the following standards before Preliminary Plat approval:
 - (1) This Ordinance;
 - (2) The Zoning Ordinance and district regulations governing the plat, including proper zoning of the plat to be in place prior to final plat approval;
 - (3) Design Standards; and
 - (4) Applicable federal, state, or county laws or regulations.
- (d) **Decision.** The Approval Authority set forth in **Table 2-1, "Approval Authority for Plats and Plans"** shall make a decision on a Preliminary Plat in accordance with the procedures set forth in this Section and **Section 2.1. Submission and Review Process**. Construction Plans may be submitted simultaneously with or after approval of a Preliminary Plat. Permitting and construction of buildings may occur simultaneously with infrastructure development under approved construction plans but will be conditional as outlined in Section 5.3(b).
- (e) **Expiration.** A Preliminary Plat expires two (2) years after approval by the City Commission, unless the Developer has filed a complete Final Plat application, or the Applicant has submitted a request for an extension to the City Commission no later than forty-five (45) days prior to the expiration of the Preliminary Plat. If approved, the City Commission may extend the expiration date for a period of one year.

3.2. FINAL PLAT

- (a) **Applicability.** A Final Plat application may be submitted after the approval of the Preliminary Plat and of Construction Plans. Development may occur in phases; therefore, the Final Plat may include all or any portion of the area included in the approved Preliminary Plat.
- (b) **Application.** Final Plat applications shall include all information in the Plat Checklist in **Appendix A, "Plat Application Requirements."**
- (c) **Standards.** The Approval Authority shall determine that the Final Plat meets the following standards before Final Plat approval:
 - (1) Conforms to the approved Preliminary Plat and Construction Plans;
 - (2) This Ordinance, Design Standards and policy manuals incorporated by reference into this Ordinance, and other applicable City ordinances; and
 - (3) All approvals of outside governmental entities, state agencies, or public utilities are provided to the City.
- (d) **Decision.** The Approval Authority set forth in **Table 2-1, "Approval Authority for Plats and Plans"** shall make a decision on a Final Plat in accordance with the procedures set forth in this Section and **Section 2.1, "Submission and Review Process."**
- (e) **Facilities Agreement.** If the Developer is required to construct Public Improvements, and has not entered into a separate written agreement with the City for construction and maintenance of those Public Improvements, then the Developer shall enter into a Facilities Agreement secured by a financial assurance that may be in the form of a letter of credit or performance and payment bonds in the amount of 110% of the estimated cost of the Public Improvements as determined by the City Engineer, in order to ensure proper construction of Public Improvements. The Facilities Agreement and financial assurances shall be in a form approved by the City. Additionally, a maintenance bond shall be required where applicable pursuant to **Section 5.6, "Maintenance Bond"** of **Chapter 5, "Subdivision Improvements."**
- (f) **Recording.** The City shall record the Final Plat with the County Clerk after its approval and Developer's submission of all required documents, including without limitation the executed Facilities Agreement and Financial Assurances. Costs of filing shall be paid by the Developer.

3.3. REPLAT

- (a) Applicability. A Replat application may be submitted to replat a platted lot into two or more lots, thereby changing the boundary and dimensions of the lot. A Zoning Lot may be replatted pursuant to this Section.
- (b) Application. Replat Plat applications shall include all information in the Plat Checklist in **Appendix A, "Plat Application Requirements."**
- (c) Standards. The Approval Authority shall determine that the Replat meets the following standards before Replat approval:
 - (1) This Ordinance;
 - (2) The Zoning Ordinance;
 - (3) Design Standards;
 - (4) Applicable federal, state, or county laws or regulations.
 - (5) The Replat application is signed and acknowledged by the owners of the property being replatted; and
 - (6) The Replat application does not attempt to amend or remove any covenants or restrictions.
- (d) Public Hearing. If the Replat meets the conditions in Tex. Local Government Code § 212.015(a) and the Applicant has requested a variance, then a public hearing on the variance is required. The City Commission shall hold the public hearing. Notice of the public hearing shall be in conformance with Tex. Local Government Code § 212.015(b).
- (e) Decision. The Approval Authority set forth in **Table 2-1, "Approval Authority for Plats and Plans"** shall make a decision on a Preliminary Plat in accordance with this Section and **Section 2.1, "Submission and Review Process."**
- (f) Notice of Approval. If the replat is for a Lot that was zoned for residential use and no variance is required for the Replat, then the Zoning Administrator shall provide written notice to each lot owner of record within 200 feet of the lots replatted not later than the 15th day after the date the replat is approved. The notice shall comply with Tex. Local Government Code § 212.015(g). However, if a variance is required, then a public hearing shall be noticed and held in accordance with Section § 212.015(a-1) and (b).

- (g) Recording. The City shall record the Replat with the County Clerk after its approval, and costs shall be paid by the Developer.

3.4. MINOR PLAT

- (a) Applicability. A Minor Plat application may be submitted under the following circumstances:

- (1) A Minor Plat is permitted for a division of land into four or fewer lots that have not been previously platted and recorded;
- (2) All lots on the Minor Plat must have direct access to and front or abut an existing public or Private Street; and
- (3) All lots must meet the lot size requirements of the zoning district in which they are located.

- (b) Application. Minor Plat applications shall include all information in the Plat Checklist in **Appendix A, "Plat Application Requirements."**

- (c) Standards. The Approval Authority shall determine that the Replat meets the following standards before Replat approval:

- (1) This Ordinance;
- (2) The Zoning Ordinance;
- (3) Design Standards;
- (4) Applicable federal, state, or county laws or regulations.

- (d) Decision. The Approval Authority set forth in **Table 2-1, "Approval Authority for Plats and Plans"** shall make a decision on a Preliminary Plat in accordance with the procedures set forth in this Section and **Section 2.1, "Submission and Review Process."**

- (e) Recording. The City shall record the Minor Plat with the County Clerk after its approval, and costs shall be paid by the Developer.

3.5. AMENDING PLAT

- (a) Applicability. An Amending Plat Application may be submitted for the purposes set forth in this Section. An Amending Plat may be recorded, and is controlling over the preceding plat without vacation of that plat, if the Amending Plat is signed by the Applicant and is solely for one or more of the following reasons:

- (1) to correct an error in a course or distance shown on the preceding plat;

- (2) to add a course or distance that was omitted on the preceding plat;
 - (3) to correct an error in a real property description shown on the preceding plat;
 - (4) to indicate monuments set after the death, disability, or retirement from practice of the engineer or surveyor responsible for setting monuments;
 - (5) to show the location or character of a monument that has been changed in location or character or that is shown incorrectly as to location or character on the preceding plat;
 - (6) to correct any other type of scrivener or clerical error or omission previously approved by the municipal authority responsible for approving plats, including lot numbers, acreage, street names, and identification of adjacent recorded plats;
 - (7) to correct an error in courses and distances of lot lines between two adjacent lots if:
 - (A) both lot owners join in the application for amending the plat;
 - (B) neither lot is abolished;
 - (C) the amendment does not attempt to remove recorded covenants or restrictions; and
 - (D) the amendment does not have a material adverse effect on the property rights of the other owners in the plat;
 - (8) to relocate a lot line to eliminate an inadvertent encroachment of a building or other improvement on a lot line or easement;
 - (9) to relocate one or more lot lines between one or more adjacent lots if:
 - (A) the owners of all those lots join in the application for amending the plat;
 - (B) the amendment does not attempt to remove recorded covenants or restrictions; and
 - (C) the amendment does not increase the number of lots;
- (b) Application. Amending Plat applications shall include all information in the Plat Checklist in **Appendix A, "Plat Application Requirements."**
- (c) Standards. No Amending Plat shall be approved by the Approval Authority unless the application complies with Section 3.5(a).

(d) Decision. The Approval Authority set forth in **Table 2-1, "Approval Authority for Plats and Plans"** shall make a decision on an Amending Plat in accordance with the procedures set forth in this Section and **Section 2.1, "Submission and Review Process."**

(e) Recording. The City shall record the Amending Plat with the County Clerk after its approval, and costs shall be paid by the Developer.

3.6. CONVEYANCE PLAT

(a) Applicability. A Conveyance Plat Application may be submitted to facilitate the transfer of ownership of a parcel of land described by metes and bounds. The approval of a Conveyance Plat provides authorization for recordation in the County Land Records; however, it shall not serve as approval of the property for development or building permit. No development of Public Improvements or Private Improvements shall occur, nor shall vertical construction occur until such time as the property is platted pursuant to the applicable section of this Ordinance based upon the nature of the proposed subdivision.

(b) Application. Conveyance Plat applications shall include all information in the Plat Checklist in **Appendix A, "Plat Application Requirements."**

(c) Standards. The Approval Authority shall determine that the Conveyance Plat meets the following standards before Conveyance Plat approval:

(1) The property has access to Private Street or Public Street;

(2) The Conveyance Plat contains a certification on the plat face, as follows:

"This conveyance plat shall not convey any rights to development or guarantee of public utilities, public or private access, or issuance of addressing and permits, without compliance with all subdivision rules and regulations and the approval and recording of a final plat."

(d) Decision. The Approval Authority set forth in **Table 2-1, "Approval Authority for Plats and Plans"** shall make a decision on a Conveyance Plat in accordance with the procedures set forth in this Section and **Section 2.1, "Submission and Review Process."**

(e) Recording. The City shall record the Conveyance Plat with the County Clerk after its approval.

3.7. VACATING PLAT

(a) Applicability. A recorded plat may only be vacated per the provisions of Tex. Local Government Code § 212.013.

(b) Application. Vacating Plat applications shall include all information in the Plat Checklist in **Appendix A, "Plat Application Requirements."**

(c) Standards. The Approval Authority shall determine that the Vacating Plat meets the following standards before approval of the Vacating Plat:

(1) If any lot has been sold to an individual property owner, the Application to vacate shall include the signatures of 100% of all property owners within the recorded subdivision;

(2) If lots in the plat have been sold, the plat or any part of the plat, may be vacated with the consent of all property owners encompassed by the prevailing recorded plat; and

(3) Access is provided to individual platted lots, and as applicable to Private Streets or Public Streets, Alley rights of way, parks, public sites and facilities, and utility and drainage easements. Public Improvements or Private Improvements necessary to comply with this subsection shall be provided in the accompanying replat along with Construction Plans meeting the requirements of Part II, Construction Standards, Details and Guidelines of this Ordinance.

(d) Decision. The Approval Authority set forth in **Table 2-1, "Approval Authority for Plats and Plans"** shall make a decision on a Vacating Plat in accordance with the requirements set forth in this Section and **Section 2.1, "Submission and Review Process"** applicable to the original plat being vacated.

(e) Recording. The City shall record the Vacating Plat with the County Clerk after its approval.

3.8. SURVEY PLAT

(a) Applicability. A Lot Consolidation and/or an existing Zoning Lot, may be approved in accordance with this Section. Upon approval, the Survey Plat may be filed with the County.

(b) Application. Survey Plat applications shall include all information in the Plat Checklist in **Appendix A, "Plat Application Requirements."**

(c) Standards. The Approval Authority shall determine that the Survey Plat for the Lot Consolidation and/or for the Zoning Lot meets the following standards before approval of the Survey Plat:

(1) The resulting Lot complies with applicable Zoning Ordinance requirements.

(2) The resulting Lot has direct access to and fronts or abuts an existing public or Private Street;

(3) The resulting Lot has access to utilities required to serve the land uses on the Lot.

(4) The resulting Lot complies with applicable Drainage Standards.

(d) Decision. The Approval Authority set forth in **Table 2-1, “Approval Authority for Plats and Plans”** shall make a decision on a Survey Plat in accordance with the requirements of this Section and **Section 2.1, “Submission and Review Process”**.

(e) Recording. The City shall record the Survey Plat with the County Clerk after its approval, and costs shall be paid by the Developer. No building permits shall be issued until the City has evidence of the recording.

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Chapter 4

CONSTRUCTION

4.1. CONSTRUCTION PLANS

- (a) Applicability. Construction Plans shall be required prior to the construction of Public Improvements and Private Improvements as required by this Ordinance. The proposed Construction Plans shall conform with this Ordinance and the Design Standards. The Design Standards in this Ordinance are minimum requirements.
- (b) Application. Construction Plan applications shall include all information required by **Part II, "Design Standards"** of this Ordinance.
- (c) Standards. The Approval Authority shall determine that the Construction Plans meet the following standards before Construction Plan approval:
- (1) This Ordinance and its Appendices;
 - (2) Approved Plat; and
 - (3) Applicable City, Federal, State, or County laws or regulations.
- (d) Decision. The Approval Authority set forth in **Table 2-1, "Approval Authority for Plats and Plans"** shall make a decision on Construction Plans in accordance with this Section and the requirements of **Section 2.1, "Submission and Review Process."**
- (e) Effect. Approval of Construction Plans authorizes the Applicant to schedule a pre-construction meeting and apply for a construction release.
- (f) Construction Release. Upon approval of the Construction Plans or waiver thereof, receipt of all documentation, including financial assurances and permits, etc., payment of all fees, and if required by the City Engineer, attendance at a pre-construction meeting with City staff and utility representatives.
- (g) Expiration. Construction Plans expire two (2) years after approval by the Approval Authority, unless the Developer has submitted a request for an extension to the Approval Authority no later than forty-five (45) days prior to the expiration of the Construction Plan. If approved, the Approval Authority may extend the expiration date for a period of one (1) year.

Chapter 5

SUBDIVISION IMPROVEMENTS

5.1. REQUIRED IMPROVEMENTS

The Developer is required to install Private Improvements and/or Public Improvements, including streets, sidewalks, utilities, and drainage, to serve a Subdivision in order to comply with the requirements of this Ordinance. Private Improvements shall be maintained by a private property owner or a Homeowners Association or Property Owners Association.

5.2. DESIGN STANDARDS

All improvements required by this Ordinance for the Subdivision and development of land shall be designed and constructed in accordance with the Design Standards promulgated by the City and approved by the City Commission and incorporated in this **Part II, "Design Standards."** A copy of this Ordinance shall be filed with the office of the City Clerk.

5.3. TIMING OF SUBDIVISION IMPROVEMENTS

- a. Completion of all required Public Improvements, in accordance with the approved Plat and the approved Construction Plans, shall occur prior to issuance of a building permit, except as provided by subsection (b) or as otherwise provided under this Ordinance.
- b. A building permit may be issued prior to completion of the required Public Improvements provided that the Developer executes a written waiver releasing and holding the City harmless from all damages incurred by Developer that arise out of or are related to City's issuance of a building permit prior to Developer construction and City acceptance of Public Improvements. The waiver shall be provided in the form prescribed by the City. Issuance of a certificate of occupancy for a building shall be conditioned upon City acceptance of the Public Improvements.

5.4. INSPECTIONS AND FEES

The Developer shall pay all inspection fees set forth in the Comprehensive Fee Schedule approved by the City Commission prior to Construction Release.

5.5. ACCEPTANCE OR REJECTION OF IMPROVEMENTS

All Public Improvements to be dedicated to the City by the Developer shall be inspected before being accepted by the City. After final inspection, the City Engineer shall provide a written recommendation regarding compliance of the Public Improvements with the requirements of the Plat, Construction Plans, Design Standards, this Ordinance and other applicable laws, and based upon that opinion, the City Commission may accept or reject all or a portion of the Public Improvements. The City shall notify the Developer in writing as to

its acceptance or rejection of the Public Improvements, and if acceptance is provided, the date of that acceptance shall establish the date for the commencement of warranty provided by the Developer. City's acceptance shall be conditioned upon Developer's compliance with **Section 5.6, "Maintenance Guarantee"** by either entering into a written maintenance agreement with City or by providing a maintenance bond as provided in that Section

5.6. MAINTENANCE GUARANTEE

a. Except as provided by subsection (b), the Developer shall provide or cause to be provided to the City a maintenance bond after final inspection of the Public Improvements. The Developer shall provide a maintenance bond in the amount equal to the total cost of that Public Improvements. City may reject Public Improvements for which a maintenance guarantee is not provided by Developer.

The maintenance guarantee shall be in the form of a letter of credit from an acceptable financial institution, a bond from a bonding agency authorized to do business in Texas, or a cash deposit. The maintenance guarantee shall be in effect for a minimum time period of two (2) years if a letter of credit or bond is provided; if a cash escrow is provided, such escrow shall remain on deposit with the City for a period of two years from the date of City approval pursuant to **Section 5.5. "Acceptance or Rejection of Improvements."**

b. The requirements of subsection (a) of this Section shall not apply where the Developer has entered into a written maintenance agreement with the City providing for Developer maintenance of the Public Improvements.

5.7. AS-BUILT DRAWINGS

The City shall not accept dedication of required Public Improvements until the Applicant's engineer has certified to the City Engineer, through submission of detailed As Built Drawings, which have been approved by the City, of the project and filed copies of any off-site easements that the Public Improvements have been built in accordance with the approved Construction Plans. Each As Built Drawing sheet shall show all changes made in the Construction Plans during construction, and on each sheet, there shall be a "record" stamp bearing the signature of the engineer and date, which shall be maintained by the City Engineer. Digital files of all As Built Drawings shall be submitted by the Applicant and received by the City.

Part II.

Construction Standards, Details, and Guidelines

Chapter 6

6. DESIGN STANDARDS

6.1. LOTS

- (a) General provisions. The size, shape, and orientation of lots must comply with applicable Subdivision Rules and Regulations as laid out in the city Design Standards as amended from time to time.
- (b) Lot frontage. Every lot shall have frontage on, and access to, a public street or private street meeting right-of-way standards. Refer to the Zoning Ordinance for frontage requirements within the City.
- (c) Access to major arterial for residential uses. If a property with frontage along a major arterial (or *greater* street section) is proposed to be subdivided or developed, the City is authorized to restrict access to the respective street and require that the developer create lots that back onto the major arterial and front onto and take access from a local or collector street in conjunction with the installation of a fence, wall or vegetative visual screen.
- (d) Right angles for side lot lines. All side lines of lots shall be at right angles to straight street lines and radial to curved street lines except where a variation to this rule will provide a better street and lot layout subject to determination by the City Engineer.
- (e) Double frontage lots.
 - 1. A double frontage lot shall be permitted one driveway along a Local or Collector Street.
 - a. A driveway along an arterial is prohibited.
 - 2. Sidewalks are required along each street frontage.
 - 3. Double frontage and reverse frontage lots shall be prohibited except where essential to provide separation of residential development from traffic arteries or to overcome specific disadvantages of topography and orientation.
 - 4. A front yard building setback shall be provided along each side of the lot fronting onto a street in accordance with governing zoning district.
- (f) Lots with septic tanks.
 - 1. A Lot served by a septic system shall meet the standards set forth by the state and meet all approvals as required by applicable City Ordinance(s) regulating On-Site Sewer Facilities ("OSSF").
- (g) Land subject to a 100-Year flood.
 - 1. Any land that, in its natural state, is subject to a 100-year flood or that cannot be properly drained shall not be subdivided, re-subdivided or developed until

receipt of evidence that the construction of specific improvements proposed by the developer can be expected to yield a usable building site (i.e., Flood Study and FEMA Conditional Letter of Map Revision).

2. Thereafter, the decision-making authority (refer to Table 2-1, Approval Authority for Plats and Plans) may recommend approval of the plat; however, building construction upon such land shall be prohibited until the specific drainage improvements have been planned, construction completed, and a Letter of Map Revision been received from FEMA.

6.2. BLOCKS

(a) General provisions.

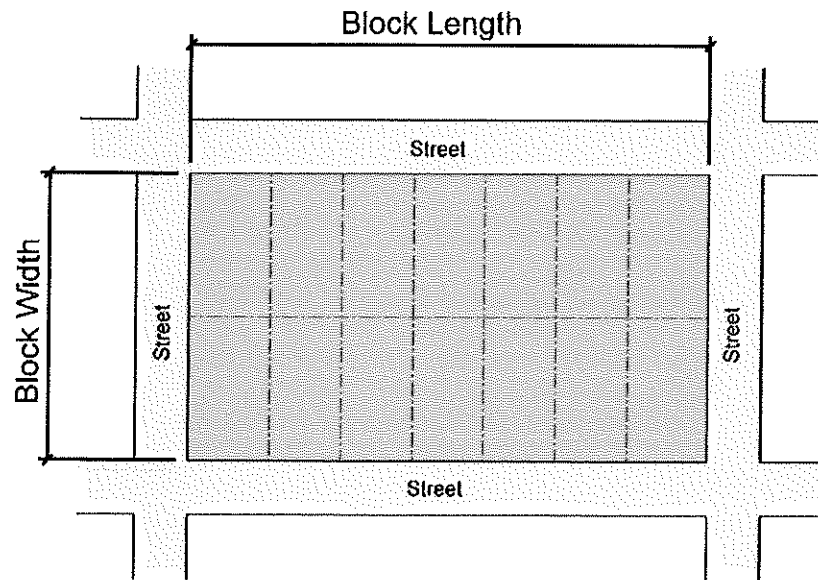
1. The size and shape of blocks must be suitable for the proposed development and be laid out in a pattern that ensures the connectivity of streets and nonmotorized travel routes and provides for efficient provision of public and safety services.

(b) Block measurement.

1. Block Length. The length of a block shall be the distance from property corner to property corner measured along the property line of the block face.
 - a. Of greatest dimension; or
 - b. On which the greatest number of lots face.
2. Block Width. The width of a block shall be the distance from property corner to property corner measured along the property line of the block face:
 - a. Of least dimension; or
 - b. On which the fewest number of lots face.

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Figure 6-1 Block Length Measurement



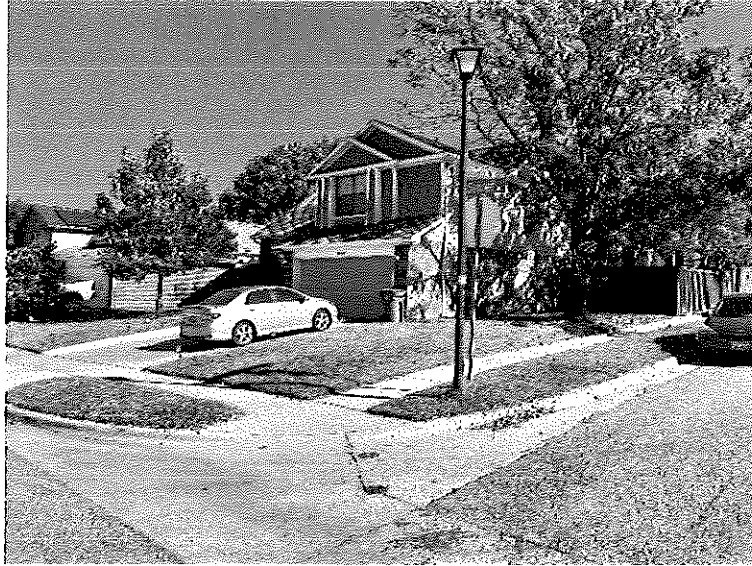
3. Block Measurement Factors. The length, width, and shapes of blocks shall be determined with due regard to:
 - a. Provision of adequate building sites suitable to the special needs of the type of use contemplated;
 - b. Zoning requirements for lot sizes and dimensions;
 - c. Needs for convenient access, circulation, control, and safety of street traffic;
 - d. Limitations of topography; and
 - e. Compatibility with efficient development of public facilities as established by surrounding developments.
- (c) Block length.
 1. Heavy Industrial District: No block length limitations.
 2. Mixed Use District: Block length shall not exceed two thousand (2,000) feet.
 3. In cases where physical barriers, property ownership, adjacent development, or individual usage creates conditions where it is appropriate that these standards be varied then, upon approval by the City Administrator, the length may be increased or decreased to meet existing conditions, having due regard for connecting streets, circulation of traffic, and public safety.

6.3. SIDEWALKS

- (a) Purpose. Sidewalks are required as a part of subdivision plat approval to help the City achieve the following:

1. Promote the mobility, health, safety, and welfare of residents, property owners, and visitors to the City;
 2. Require subdivisions to connect to existing and proposed City trail systems to enhance city-wide connectivity;
 3. Require sidewalks with new development and redevelopment of infill sites where sidewalks do not currently exist.
- (b) Minimum sidewalk requirements.
1. Sidewalks will comply with the Sidewalk Design and Construction Specifications in Section 6.3(c).
 2. All sidewalks shall conform to Federal American with Disabilities Act (ADA) requirements and barrier-free ramps should be provided for access to the street.
 3. All sidewalks shall be constructed in the public right-of-way and setback a minimum of four (4) feet from the street curb. The City Engineer may alter the alignment and minimum sidewalk setback to address geographical site constraints and enhance safety in conformance with standard engineering practices.
 - a. Should the available right-of-way between the curb and adjacent property line be of insufficient size to accommodate the requirements of this section the City Administrator may administratively approve an alternative sidewalk design.
 - b. If the reconfiguration of a sidewalk makes the sidewalk to be partially located on private property, the applicant shall dedicate a pedestrian access easement for the portion of the sidewalk on private property to ensure it is accessible to the public.
 4. Sidewalks will be designed to meet the minimum dimensions shown in Table 6-1. The City Engineer may require the end(s) of a proposed sidewalk be tapered when connecting to an existing sidewalk to allow for a better transition from the new sidewalk to the existing sidewalk.
 5. The City will require a sidewalk along the entire street frontage of the lot when the property owner:
 - a. Submits a plat application to plat their property

Figure 6-2. Sidewalk Placement for Double Frontage Lots



6. A sidewalk will be required along the entire street frontage of a lot. Double frontage lots, such as the example in Figure 6-2, will require a sidewalk along both street frontages.
7. When a stubout is provided to an adjoining property the developer must extend the sidewalk along the entire length of the stubout.
 - a. A multi-lot or master planned subdivision where the developer is constructing the entire width of the internal subdivision street or stubout the sidewalk must be constructed on both sides of the street.
 - b. Sidewalks shall also be required along state facilities.
 - i. Sidewalks on state maintained right of ways shall meet the widths and locations required by this section.
8. Sidewalks will be constructed in accordance with the Timing of Sidewalk Construction in Section 6.3(d).
9. The lot owner shall assume the responsibility of installation, maintenance, and repair of the required sidewalks along the frontage(s) upon occupying the structure on the lot. The City shall not be liable for any sidewalk implementation or construction costs.
10. The maintenance and repair of sidewalks is the responsibility of each individual property owner. The City reserves the right to inspect all sidewalks within City rights-of-way and to notify property owners to make repairs when their sidewalks become unsafe.

Table 6-1. Sidewalk and Bicycle Facilities		
FACILITY	DESCRIPTION	MINIMUM WIDTH (FT)
Sidewalks	Standard City sidewalks adjacent to the roadway intended to be used by pedestrians.	5
Multi-Use Pathways	Multi-use pathways are sidewalks that are intended to be used by pedestrians and cyclists.	10

(c) Sidewalk design and construction specifications.

1. The pavement of all sidewalks shall be laid with a slope towards the street at a grade not exceeding a quarter ($\frac{1}{4}$) inch in one (1) foot so that water is not stagnant.
2. All sidewalks shall have at least an eight (8) foot in vertical clearance.
3. Concrete for sidewalks shall have a minimum compressive strength of three thousand (3,000) psi at twenty-eight (28) days. The quantity of mixing water shall not exceed six and one-half ($6\frac{1}{2}$) U.S. gallons per sack (ninety-four (94) lbs.) of Portland cement. The slump of the concrete shall not exceed four (4) inches. A minimum content of five (5.0) sacks of cement per cubic yard of concrete is required.
4. Reinforcing steel shall be 6-inch by 6-inch wire mesh or no. 3 deformed bars ($\frac{3}{8}$ -inch nominal diameter), or approved equal, and shall be placed a maximum of twenty (20) inches on center, both ways, and shall be spliced/lapped a minimum of twelve (12) inches. Reinforcing shall be properly supported to assure it will remain at mid-depth of the slab after placing of the concrete.
5. The City Engineer or Inspector shall inspect the forms before concrete is poured. Concrete shall be free from honeycombing, rock pockets and segregation of ingredients. The addition of neat cement to concrete in order to absorb excess water to accelerate hardening is prohibited.
6. Curb ramps shall be designed in accordance with the following provisions:
 - a. Curb ramps shall be designed and constructed in accordance with the Texas Accessibility Standards and the most current requirements of the American with Disabilities Act (ADA).
 - i. Where the provisions of this section conflict with the Texas Accessibility Standards and the American with Disabilities Act (ADA) the most stringent provision shall prevail.
 - b. Curb ramps shall be located so that they are not obstructed by parked vehicles and shall not intrude into vehicular traffic lanes.

- c. Curb ramp slope shall not exceed a 1:12 vertical rise to horizontal run ratio. Curb ramp wings shall not exceed a 1:10 vertical rise to horizontal run ratio. A flat landing area with a minimum dimension of sixty (60) inches deep and as wide as the ramp area must be located at the top of each curb ramp.
 - i. In existing right-of-way or street locations where existing property lines do not allow for this sixty (60) inch deep landing area, the wings or flared sides of the ramp must have a slope of 1:12 maximum.
 - d. Sloped surfaces shall be stable, firm and slip-resistant. Ramp surface shall have a detectable warning surface system integral to the walking surface.
 - e. Detectable warning system shall consist of raised truncated domes with a diameter of nominal 0.9 in. (23mm), a height of nominal 0.2 in. (5mm) and a center-to-center spacing of nominal 2.35 in. (60mm) and shall contrast visually with adjoining surfaces, either light-on-dark, or dark-on-light. The coloring agent used to provide contrast shall be an integral part of the walking surface. The width of the curb ramp shall be a minimum dimension of 48 inches (1.2 meters) exclusive of flared sides or wings.
 - i. On existing sidewalks only, where 48 inches (1.2 meters) is not feasible, a minimum width of 36 inches (0.9 meters), exclusive of flared sides or wings shall be allowed. If a curb ramp is located where pedestrians must walk across the ramp, or where it is not protected by handrails or guardrails, it shall have flared sides.
 - ii. Curb ramps with returned curbs may be used where pedestrians would not normally walk across the ramp.
 - f. Curb ramps shall be designed so that the "cradle" will allow wheelchair footrests to clear the adjoining surface during transition. The minimum angle from surface to surface shall be 170 degrees.
 - g. Curb ramps shall be located so as to provide a continuous accessible path of travel.
- (d) Timing of sidewalk construction.
- 1. Multi-Lot Subdivisions.
 - a. Sidewalks may be constructed by the developer, builder or property owner on an individual lot basis with the construction of the residential structure on each lot.
 - b. The Chief Building Official will not approve a residential building permit for lots within a new subdivision until the developer, builder or property owner has provided a sidewalk plan or plot plan in the subdivision construction documents or individual building plan set showing compliance with the applicable provisions of the City's sidewalk requirements.

- c. The sidewalk must be constructed before a residential certificate of occupancy is issued by the Chief Building Official.

6.4. PUBLIC STREETS DESIGN STANDARDS

(a) General provisions.

1. The purpose of this section is to ensure adequate and safe pedestrian and vehicle circulation within the City, and into adjoining areas.
2. All lots must have access to a public street or a private street.
3. The developer shall be responsible for the costs of right-of-way and street improvements, in accordance with the policies and standards herein.
4. The construction of new streets or the modification of existing streets will comply with the Minimum Right-of-Way Dedication in Section 6.4(b).
5. New sidewalks shall connect to existing sidewalks or trails.
6. All streets, whether public or private, shall be paved to the required width and to the minimum sections established herein.
7. Design Standards. The design of a street shall conform to the requirements as set forth herein, and the specifications shall be in accordance with the Standard Specifications for Construction of Highways, Streets and Bridges (latest edition) as published by the Texas Department of Transportation.
8. Existing Street Quality. A proposed subdivision fronting on an existing City road or public dedicated road that does not meet the current City minimum street standard, shall be improved to the City's minimum design and construction standard.
9. Flood Prone Areas. All streets within a V or A flood zone, as identified on the FEMA Flood Insurance Rate Maps, and where the base flood elevation exceeds the natural ground elevation by more than one foot (1') shall be built with Concrete Class A paving unless otherwise approved by the City Engineer.

(b) Minimum right-of-way dedication.

1. All new development within the City shall dedicate the minimum public right-of-way as shown in Table 6-2.
2. All streets within the City will be designed and constructed with curb and gutter in accordance with the City's street design criteria.

Table 6-2. Minimum Right-of-Way Width	
THOROUGHFARE TYPE	MINIMUM ROW WIDTH (FT)
Primary Arterial (Urban)	120'
Secondary Arterial (Urban)	100'
Collector (Urban)	80'
Local (Urban)	60'

(c) Right-of-way dimension. The minimum right-of-way dedication for residential or nonresidential subdivisions abutting an existing street will comply with the following provisions:

1. The developer shall dedicate at least half of the ultimate right-of-way width required for the existing adjacent street in accordance with the Minimum Right-of-Way Dedication in 6.4(b).
2. The minimum right-of-way dedication for the adjacent street will be based on the geometric centerline of the right-of-way.
3. The city engineer may require additional right-of-way for substandard perimeter streets to address safety, design, topography, and traffic management considerations.

(d) Street connectivity.

1. A residential and nonresidential subdivision may provide a stub out to undeveloped land adjacent to the subdivision if required by the City Engineer.
 - a. Stub-out connections to adjoining residential properties shall occur where right of ways continue into undeveloped land or in alignment with abutting subdivision streets.
 - b. The stubout will require a temporary turnaround at the terminus of the stubout of a minimum of sixty (60) feet in diameter.
 - c. The developer will need to extend the sidewalk along the entire length of the stubout on both sides of the street if the developer is constructing the entire width of the internal subdivision street that will dead end or stubout to the adjacent property.
2. A new subdivision will connect to an existing stub out adjacent to the proposed subdivision.
3. Permanent cul-de-sacs and dead-end streets shall not exceed five hundred (500) feet in length unless no other alternative is available as determined by the City Engineer.
 - a. A cul-de-sac street shall be platted and constructed with a concrete paved cul-de-sac at the closed end having a turnaround with a minimum outside

paving diameter of at least ninety-six (96) feet or a minimum turnaround hammerhead of at least one hundred twenty (120) feet.

(e) Secondary ingress and egress.

1. All multi-family residential and nonresidential subdivision developments shall provide at least one secondary form of ingress and egress to a Public Street.
 - a. A multi-lot or master planned subdivision may require a secondary form of ingress and egress to a public street for each phase.
2. All single-family subdivision developments shall provide a minimum number of access points for ingress and egress as required by Table 6-3.
3. Access points must be to a local, collector or larger facility. Stub outs for connections to future developments or unpaved public roads are considered access points.
4. The City Engineer or the respective decision-making authority may require additional access points if the configuration, number of lots, or other consideration creates the need for additional access.
5. The City Engineer or the respective decision-making authority may reduce the number of access points due to topography, natural features, or the configuration of adjacent development.

Table 6-3. Minimum Number of Access Points	
NUMBER OF RESIDENTIAL UNITS	MINIMUM NUMBER OF ACCESS POINTS
<200 units	1
200-250 units	2
> 250 units	1 additional access point for each 100 units exceeding 250 units

Notes:

1. Any additional access points must be shown on the plat and the associated construction plans.

(f) Street names, signs and lighting.

1. Streets shall be named to provide continuity with existing streets. Names of new streets shall not duplicate or cause confusion with the names of existing streets. Street names are subject to approval by the City.
2. Street signs shall be furnished and installed by the developer for all intersections within or abutting the subdivision.
3. Such signs shall be of a type approved by the City.
4. Street signs shall be installed in accordance with the prescribed type currently in use by the Texas Manual on Uniform Traffic Control Devices.

5. Street marking shall be applied by the subdivider in compliance with the City's specifications and the most recent edition of the Texas Manual on Uniform Traffic Control Devices.
6. Streetlights shall be installed by the developer at major street intersections within the subdivision or site development, and at major intersections on the boundaries of the subdivision.

6.5. PRIVATE STREETS REGULATIONS

(a) Intent. It is the intent of these private street regulations:

1. To provide for diverse housing options that help the City remain competitive in the development market and meet the needs of residents;
2. To ensure private streets are constructed to the quality standards of public streets; and
3. To ensure private street developments are accessible by safety and emergency services of the City.

(b) General provisions.

1. A private street development shall comply with all provisions of the City Ordinance.
2. There shall be no required minimum or maximum acreage size and or number of lots within private street developments. However, minimum and maximums will be evaluated on a case-by-case basis through the specific use permit process.
3. The location of the private street development among other criteria required in this section will be subject to the approval of the City Commission through the specific use permit process. A private street development that meets the criteria of this subsection will not be entitled to the specific use permit as a matter of right but shall only obtain approval for the specific use permit at the sole discretion of the City Commission.
4. A private street development shall not impede the current or future street circulation needs of the City, such as obstructing a road designated as a collector or arterial connection.
5. A private street development shall not disrupt an existing or proposed City pedestrian, bike, or trail pathway.
6. Except where substantial existing natural or manmade barriers would render the requirement unreasonable, each private street development should have direct access to a collector street.

(c) Development guidelines.

1. Private streets shall be constructed to the Street Design Standards contained in this Ordinance and any other construction specifications for public right-of-way required by the City.
 - a. If a developer requests to provide a different section, a geotechnical report with recommended pavement sections must be submitted to the City Engineer for approval.
2. A private street development must provide access for emergency vehicles, public and private utility maintenance and service personnel, the US Postal Service, and other government governmental employees in pursuit of their official duties.
3. A private street development that has an access control gate or cross arm must have a minimum uninterrupted pavement width of 15 feet at the location of an access control device. If an overhead barrier is used, it must be a minimum of 14 feet in height above the road surface.
4. A private street development that has an access control gate shall also provide a turnout or turnaround area outside the gated perimeter.
5. A private street development that has an access control gate shall also provide two stacking spaces (10 feet in width by 20 feet in length) dimensioned at the location of the keypad. Vehicles waiting to enter the private street development cannot stack in the public right-of-way.
6. The City fire marshal or his designated representative shall approve the installation of access gates, which shall meet the City's fire code requirements for emergency operation. The type of gate or control access mechanism is subject to review and approval by the City fire marshal and shall be maintained by the property or homeowners' association.
7. The property or homeowners' association shall provide keypads and codes, as well as a receiver and mechanism designed to open gates automatically in response to a remote traffic signal preemption device meeting the specifications of emergency service providers, at all gates into the community.
8. In the event that at any time any gate does not promptly and automatically open for an emergency vehicle utilizing a traffic signal preemption device, the emergency responders shall be privileged to remove, disable or destroy any locking device, gate or piece of a gate in order to gain access.
9. Street Lighting on private streets are required to meet the City's specifications and shall be installed and maintained by the property or homeowners associations at no cost to the City.

10. The developer is responsible for the installing and designing water and wastewater utilities to the City's specifications (or to other public utility as determined by CCN). All water and wastewater mains and associated appurtenances shall be privately owned and maintained by the service provider.
 11. The developer is responsible for installing, designing, and operating all electrical facilities associated with gate development to the utility provider's standards. All electric facilities shall be owned and maintained by the utility provider.
 12. The developer is responsible for the installation of the stormwater system to the City's standards, and the HOA is responsible for maintenance of the stormwater system.
- (d) Review criteria for a subdivision plat involving a private street development. Plats shall provide the following information:
1. Private street subdivisions shall provide the following note on the face of the plat: "The streets have not been dedicated to the public for public access nor been accepted by the City as public improvements, and the streets shall be maintained by the property or homeowners association within the subdivision. The street shall always be open to emergency vehicles, public and private utility service personnel, the U.S. Postal Service and governmental employees in pursuit of this official duties."
 2. Private streets shall be dimensioned, named, and designated as a common area, but not public right-of-way.
 3. The plat shall show pre-existing easements unaffected by the platting process.
 4. The plat shall provide utility and drainage easements containing utilities or drainage improvements.
- (e) Perpetual maintenance of private streets.
1. Formation of Property or Homeowners Association.
 - a. Subdivisions with private streets shall have a property or homeowners association that will own and maintain the private streets and appurtenances.
 - b. The property or homeowners association shall provide for the payment of dues and assessments required to maintain the private streets.
 - c. The property or homeowners' association documents must be reviewed and approved by the City attorney and recorded with the

County Clerk prior to the associated Final Plat being recorded with the County.

2. Conversion of private streets to public streets.
 - a. Voluntary Conversion. The City may but is not obligated to accept public streets for public access and maintenance. The procedure must conform to all the following provisions:
 - b. The property or homeowners associations must submit a petition signed by at least seventy-five (75) percent of its members.
 - c. All the infrastructure must be in a condition acceptable to the City.
 - d. The request to convert the private street to public streets must be considered by the Planning and Zoning Commission and approved by the City Commission. An ordinance converting the private streets to public streets must be approved by the City Commission prior to the recording of said subdivision plat.
 - e. A revised subdivision plat shall be submitted to the planning department after the City Commission has approved the request to convert existing private streets to public streets.
 - f. Prior to the revised subdivision plat being recorded with the County the property or homeowners association documents shall be revised and refiled to remove requirements specific to private street subdivisions.

6.6. ACCESS MANAGEMENT GUIDELINES

(a) General provisions. The purpose of this section is to:

1. Prohibit the indiscriminate location and spacing of driveways while maintaining reasonable vehicular access to and from the public street system;
2. Reduce conflicting turning movements and congestion and thereby reducing vehicular accidents; and
3. Maintain and enhance a positive image for the attraction of new, high-quality developments in the City.
4. This section does not apply to residential subdivisions

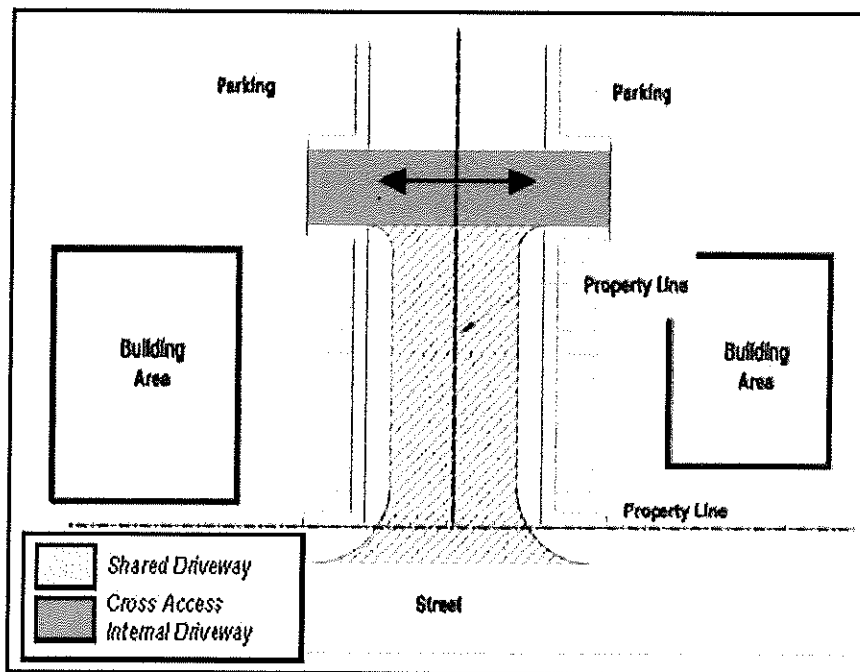
(b) Applicability.

1. No driveway shall be allowed or permitted if, in the determination of the City Engineer, it is detrimental to the public health, safety, and welfare of the community.
2. Common access. A common access easement is required between adjacent lots used, zoned, or planned for nonresidential and multi-family uses fronting on any street section where shared common driveways are

proposed in the development design unless the City Engineer authorizes an exemption due to site constraints.

3. The use of common driveways shall require the dedication of a joint-use perpetual private access easement on each affected property.
4. Said dedication shall be provided on the Final Plat of the subject properties, or be filed by separate instrument, subject to review and approval by the City Engineer.
5. The plat shall state that the property owner shall maintain the easement.
6. The common access easement shall encompass the entire width of the planned driveway plus an additional width of one foot on both sides of the drive.

Figure 6-3. Example of a Common Driveway



(b) *Driveway design for non-state maintained roadways.* The following standards shall be followed in the design and construction of driveways. The values in the following tables represent minimum standards to be applied in designing and locating driveways on City/county streets.

1. Driveway Dimensions and Spacing (Non-State Maintained Roadways).
 - a. Table 6-4. Dimensions for Driveways at Non-State Maintained Roadways indicates the minimum dimensional values required for driveways along City/county-maintained roadways (local streets,

collector streets, arterial streets). Figure 6-4 illustrates driveway spacing.

2. Deceleration Lanes for Driveways (Non-State Maintained Roadways).
 - a. When the turning volume for a driveway exceeds 60 vehicles per hour during the peak hour, a deceleration lane shall be provided on arterial streets with a posted speed of 40 mph to 45 mph.
 - b. When the turning volume for a driveway exceeds 50 vehicles per hour during the peak hour, a deceleration lane shall be provided on arterial streets with a posted speed greater than 45 mph.

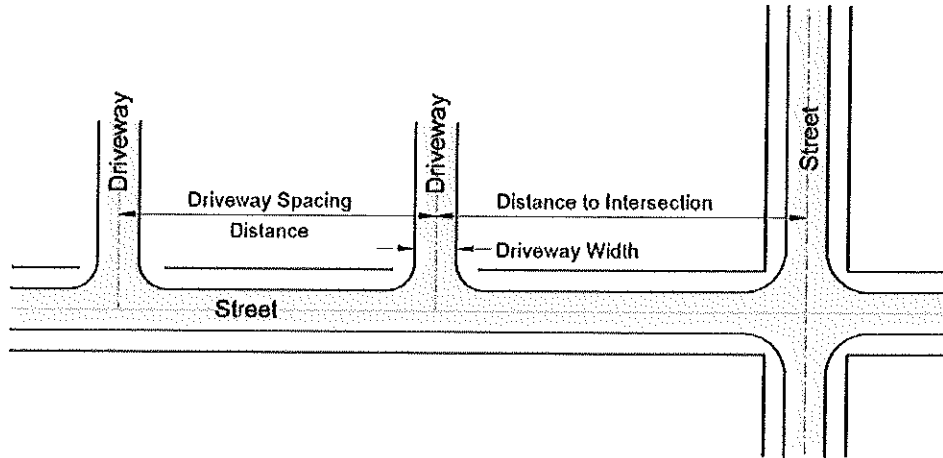
Table 6-4 Dimensions for New Subdivision Driveways at Non-State Maintained Roadways

CRITERIA	STREET CLASSIFICATION	NONRESIDENTIAL DRIVEWAY	SERVICE DRIVEWAY
Driveway Throat Width	Arterial Street	24-40'	30-48'
	Collector Street	24-40'	30-48'
	Local Street	24-36'	28-40'
Driveway Curb Radius	Arterial Street	20-30'	25-30'
	Collector Street	10-20'	10-20'
	Local Street	10-20'	10-20'
Minimum Distance to Intersection Along Roadway	Arterial Street	200'	200'
	Collector Street	150'	150'
	Local Street	50'	100'
Minimum Centerline Driveway Spacing Along Roadway	Arterial Street	250'	250'
	Collector Street	150'	150'
	Local Street	100'	100'

Notes:

1. Nonresidential driveways include Multi-Family Buildings.
2. The requirements for driveway throat width and driveway curb radius are for standard undivided two-way operation and may be varied by the City Engineer if traffic volumes, truck usage, common driveways, and other factors warrant such.
3. Minimum centerline spacing does not implicitly determine the number of driveways allowed. Driveways served by deceleration lanes may be spaced at closer intervals if approved by the City Engineer.
4. Distance measured from the intersection right-of-way line to the centerline of the proposed driveway.

Figure 6-4. Illustration of Driveway Spacing



(c) Required internal storage (minimum throat length/stacking).

1. Minimum Throat Length.

- a. The driveway for any multi-family or nonresidential property that connects to an arterial street, collector street, or local street shall extend onto private property a minimum distance of fifteen (15) feet, but not less than the required front landscape edge width, from the right-of-way line before intersecting any internal circulation drive.

2. Driveway Stacking.

- a. Driveway stacking shall be provided on multi-family or nonresidential properties for corresponding driveways in accordance with Table 6-5. Required driveway stacking for driveways that provide ingress/egress to parking areas of twenty (20) or greater spaces.

Table 6-5. Required Driveway Stacking		
AVERAGE NO. OF PARKING SPACES PER DRIVEWAY	TOTAL NO. OF PARKING SPACES	MINIMUM STACKING LENGTH
20-49	20-49	Landscape Edge + 20'
	50-199	50'
	200+	75'
50-199	50-199	75'
	200+	100'
200+	200+	100'

Notes:

1. The average number of parking spaces per driveway is calculated by dividing the total number of parking spaces by the number of commercial

and multi-family driveways. (Service driveways are not included in the calculation.)

(b) Adequate sight distance.

1. Driveways shall be prohibited where adequate sight distance is not available for the established speed limit.
2. Sight distances shall be calculated in accordance with the latest edition of the AASHTO "A Policy on Geometric Design of Highways and Streets."
3. If a field inspection indicates that driveway sight distance may be insufficient, the applicant will be required to submit vertical and horizontal information prepared by a registered professional engineer to the City Engineer that verifies adequate sight distance is available for the proposed driveway location.

(c) Traffic impact analysis (TIA).

1. The City Engineer may request a traffic impact analysis when 5,000 or more daily vehicle trips are anticipated to be generated by the development or if the development is anticipated to cause severe impacts on either the roadways system or the internal circulation of an adjoining development.
2. A traffic impact analysis shall be prepared in accordance with the City's traffic study procedures, traffic circulation analysis guidelines, and current available traffic counts.
3. The City Engineer may require a pre-submittal meeting with the property owner or developer after the submission of a development application, such as a plat or site plan, to define the scope of the TIA if deemed necessary for the project.

6.7. DRAINAGE STANDARDS

Purpose. The purpose of this section is to outline the general requirements for the design of stormwater improvements and provide typical details for construction for the City of Starbase. These design guidelines are for use as minimum acceptable design criteria only and are not to be constructed as a waiver by the City of Starbase of the right to require a more stringent or lenient design as conditions warrant for public safety. Design Engineers of record are responsible for initiating written requests for approval of any design concepts that differ from these standards, verifying additional requirements set forth by other departments of the City or other Government agencies, performing any necessary calculations or studies, and resolving any problems with appropriate departments or agencies. Our efforts in implementing these guidelines will allow us to maintain a high standard for improvements within public right of ways and reduce future maintenance cost to the residents of Starbase.

The design guidelines presented on this document were prepared in an effort to facilitate the design, review and construction of proposed drainage infrastructure improvements. The methodologies appearing in the sections below are consistent with engineering practice and are intended to serve as guidance in the design of related infrastructure. Interpretation, implementation and engineering judgment shall be the responsibility of the Engineer of record.

(a) **Drainage Improvements.** All storm sewer mains extended or proposed to the City of Starbase's storm water collection systems and watercourses shall be designed and constructed in accordance with the following requirements.

1. All Development within the City of Starbase shall include planning, design and construction of storm drainage systems in accordance with this standard.
2. Drainage reports and drainage improvements shall be performed and designed by a Professional Engineer licensed to practice in the State of Texas and are subject to approval by the City Engineer.
3. All drainage studies and design plans shall be formulated and based upon ultimate, fully developed watershed or drainage area runoff conditions. In certain circumstances where regional detention is in place or a master plan has been adopted, a development may plan to receive less than ultimate developed flow from upstream with the approval of the City Engineer.
4. Storm water must be carried to an adequate or acceptable outfall. An adequate outfall is one that does not create or increase flooding or erosion conditions downstream and is approved by the City Engineer.
5. Proposed stormwater discharge rates and velocities from a development shall not exceed the runoff from existing, pre-development conditions, unless a detailed study is prepared that demonstrates that no unacceptable adverse impacts will be created. Adverse impacts include: new or increased flooding of existing insurable (FEMA) structures, significant increases in flood elevations over existing roadways, unacceptable rises in FEMA base flood elevations, and new or increased stream bank erosion.
6. If a development drains into an improved channel or storm water drainage system designed under a previous drainage policy, then the hydraulic capacities of downstream facilities must be checked to verify that increased flows, caused by the new development, will not exceed the capacity of the existing system or cause increased downstream structure flooding. If there is not sufficient capacity to prevent increased downstream

flooding, then detention or other acceptable measures must be adopted to accommodate the increase in runoff due to the proposed development.

7. Storm water runoff may be stored in detention and retention basins to mitigate potential downstream problems caused by a proposed development. Proposed detention or retention basins shall be analyzed both individually and as a part of the watershed system, to assure compatibility with one another.). Storage of stormwater runoff, near to the points of rainfall occurrence, such as the use of ball fields, property line swales, parks, road embankments, borrow pits and on-site ponds is desirable and encouraged.
 8. Alternatives to detention or retention, for mitigation of potential downstream problems caused by proposed development, include: acquisition of expanded drainage easements, ROW, or property owner agreements; downstream channel and/or roadway bridge/culvert improvements or stream bank erosion protection. These alternatives will be considered by the City Engineer, as presented by the developer, on a case-by-case basis.
 9. Stream bank stabilization and protection shall be required to prevent erosion and sedimentation from creeks, streams, and channels.
 10. Required Easements when outside of Right of Way:
 - a. Drainage easements shall be required for public storm water drainage improvements, including standard engineered channels, storm drain systems, public detention/retention facilities and other stormwater controls.
 - b. Temporary drainage easements may be allowed off-site for temporary channels when future off-site development is anticipated to enclose the channel in conduit or follow an altered alignment. Temporary drainage easements will not be maintained by the City and will not terminate until permanent drainage improvements meeting City standards are installed and accepted. Temporary drainage easements will require written approval from the City Engineer and the City Attorney. Maintenance of a temporary drainage easement shall be maintained by the property owner(s) or a homeowners association if applicable.
- (b) Private drainage easements, not dedicated to the city, may be required for private storm water drainage improvements serving multiple lots or for storm water controls on a property. These improvements and easements will require a maintenance agreement with the City of Starbase.

- (c) Access easements shall be provided for access to public storm water drainage improvements where necessary for maintenance.
 - 1. Drainage Easements.
 - a. Where a subdivision is traversed by a watercourse, drainage way, natural channel or stream, there shall be provided an easement or right-of-way conforming substantially to the limit of such watercourse, plus additional width to accommodate future needs.
 - i. The minimum easement width for an enclosed system is fifteen (15) feet, and for an open drain is thirty (30) feet.
 - ii. Drainage Access: Minimum of 14-feet, Maximum of 20-feet.
- (d) Calculations for Detention Pond.
 - 1. The City Engineer shall determine the effect of each proposed development on existing drainage facilities outside of the area of the development. Where it is anticipated that the additional run-off incident to the development will overload an existing downstream drainage facility, provision shall be made for the retention/detention of storm water run-off to such an extent necessary to alleviate the condition.
 - 2. If detention ponds are proposed, provide required storage and proposed volume calculations.
 - 3. The City Engineer shall determine the effect of each proposed development on existing drainage facilities outside of the area of development. Detention is required for all commercial developments when it is anticipated that the additional run-off incident to the development will overload an existing downstream drainage facility, provision shall be made for detention of stormwater run-off to such an extent necessary to alleviate the condition. The detention basin shall be designed to collect the post-development 50-year rainfall event and release at the predevelopment 10-year rainfall event. If the project is required to release less than the predevelopment 10-year flow (e.g., along a TxDOT roadway), the actual discharge rate shall be used to calculate the required storage of the detention basin.
 - 4. The Modified Rational Method (MRM) shall be used to determine stormwater storage requirements. The calculations are carried out iteratively in a tabular form until a duration yields the greatest storage volume required.
 - 5. Pre-development 10-year flow in cubic feet per second (cfs) for all proposed drainage outfall locations including all supporting calculations (c values, time of concentration calculations, rainfall intensities, etc.).
 - 6. All pipes used to drain stormwater management/detention basins shall be of suitable material and sized for sufficient drainage volume.

7. Storm runoff may be detained within parking lots. However, the engineer should be aware of the inconvenience to both pedestrians and traffic. The location of ponding areas in a parking lot shall be thoroughly planned to minimize this condition. Stormwater ponding depths in parking lots are limited to the height of the curb within the parking lot with a maximum of twelve (12 inches).
- (e) Comprehensive Drainage Plan and Report: The following items shall be included in the Comprehensive Drainage Plan – all designs shall be signed and sealed by the engineer and submitted to the City Engineer for review and approval:
 1. Cover Sheet with the following information:
 - a. Project name
 - b. Project location map
 - c. Legal description
 - d. Project location description (ETJ, Drainage District, etc.)
 - e. Property ID
 - f. Existing use
 - g. Proposed use
 - h. Statement regarding whether any portion of the project is located within the FEMA floodplain. Include community panel number and zone information.
 - i. Existing soil conditions, including map symbol, soil name, group and unified class.
 - j. Sheet index
 - k. Firm name
 - l. Engineer name
 - m. Engineering seal and date
 2. USDA Web Soil Survey
 3. FEMA floodplain map showing location of subdivision including NFHL FIRMette with community panel, zone description, and site location.
 4. Existing Drainage Area Map including:
 - a. Existing use
 - b. Contour map showing the drainage basin the subdivision is part of and location of the subdivision. The contour map shall also show streets, street names, ditches, general drainage flow direction to ultimate outfall, city limits, and any other major land features. All existing elevations shall be one-foot contours extending 500 feet outside subdivision boundary.
 - c. Existing drainage areas
 - d. Flow directions arrows with slope labels

- e. Drainage calculations for each drainage area including all supporting calculations (c values, time of concentration calculations, rainfall intensities, etc.)
 - f. Existing drainage outfall locations
 - g. Pre-development 10-year flow in cubic feet per second (cfs) for all existing drainage outfall locations including all supporting calculations (c values, time of concentration calculations, rainfall intensities, etc.)
5. Proposed Drainage Area Map including:
- a. Proposed use
 - b. Contour map showing the drainage basin the proposed subdivision is part of and location of the subdivision. The contour map shall also show streets, street names, ditches, general drainage flow direction to ultimate outfall, city limits, and any other major land features. All existing elevations shall be one-foot contours extending 500 feet outside subdivision boundary.
 - c. Proposed drainage areas
 - d. Flow directions
 - e. Drainage calculations for each drainage area including all supporting calculations (c values, time of concentration calculations, rainfall intensities, etc.)
 - f. Adequate drainage in the subdivision to avoid the concentration of storm drainage from lot to lot. All plans of the drainage improvements or modifications necessary to provide positive drainage away from all buildings and coordinate individual lot drainage with the proposed storm drainage pattern for the area.
 - g. Proposed drainage plans including:
 - i. One inlet per drainage area
 - ii. Pipe and inlet capacity calculations
 - iii. High points
 - iv. Storm sewer and/or open channel plan and profiles with existing and proposed ground.
 - v. Existing and proposed storm sewers and inlets
 - vi. Pipe length, size, class, slope, flow line, flow rate (Q), flow velocity (V), flow depth (D)
 - vii. Utility crossings and resolution of any conflicts
 - viii. The hydraulic grade line for the 10yr post-development rate shall be a minimum of 6" below the lowest gutter elevation for the design storm. The hydraulic grade line shall also be minimum of 6" below the lowest gutter elevation at the peak water surface elevation (WSE) for any

drainage infrastructure that outfalls into a pond and/or at the base flood elevation (BFE) where applicable.

- ix. Top of curb elevations
 - x. Ditch flow line elevations
 - xi. Manhole rim elevations
 - xii. Trench protection limits
 - xiii. All applicable details
 - h. Proposed drainage outfall locations and owner of outfall locations
 - i. Post-development 10-year flow in cubic feet per second (cfs) for all proposed drainage outfall locations including all supporting calculations (c values, time of concentration calculations, rainfall intensities, etc.).
 - j. Detention pond plans showing pond sizes, locations, and discharge line sizes; and/or other proposed stormwater management measures used to comply with detention requirements:
 - i. If detention ponds are proposed, show required-storage and proposed volume calculations. Provide cross-sections (longitudinal and perpendicular) with proposed water surface elevation at the peak storage elevation clearly shown and labeled.
 - ii. If widening roadside ditch, include a plan and profile of the proposed and existing roadside ditch, street ROW, edge of pavement, slopes, and property line. Show required-storage and proposed volume calculations. Provide cross sections (longitudinal and perpendicular) with proposed water surface elevation (WSE) at the peak storage elevation clearly shown and labeled. Demonstrate by a profile that water will flow to an outfall location, or for a minimum of 1,500 feet or 2 feet in elevation.
6. Flow capacity calculations per these rules of all existing and proposed drainage ways and drainage structures within the subdivision to the final drainage outfall acceptable by the City Engineer. All proposed roadways and drainage systems shall be designed based on proposed/post-developed conditions.
7. Analyze and provide calculations showing that conveyance to the final drainage outfall is adequate for the flow from the subdivision.
8. Analyze and provide calculations showing that the drainage way receiving drainage from the final drainage outfall is adequate, including flows from other drainage contributors within the drainage basin. Assume a 25yr storm post-development rate if onsite detention is not being provided or a 10yr storm pre-development rate if conveyance is after onsite detention.

9. Detailed plans and specifications for all on-site improvements, in addition to off-site improvements which must be completed prior to final plat approval.

(f) Roadway Drainage

Streets shall not be used as major drainage courses or conveyances, where practical. Additionally, regular maintenance shall be required for streets to prevent sediment buildup and maintain positive drainage. The street system layout shall provide for the acceptable disposal of storm water and shall comply with the Environmental Protection Agency (EPA) requirements set forth in the National Pollution Discharge Elimination System (NPDES) regulations. The minimum recommended slope for curb & gutter is 0.20% and 0.15% for roadside ditches.

1. Local Streets shall:

- a. Be designed to contain a ten (10) year storm within the gutter and with one passable lane (4" maximum water depth on pavement) if curb and guttered or within the borrow ditches if a rural section.
- b. Have culverts designed to carry the ten (10) year storm with a headwater depth not to exceed the diameter of the pipe.
- c. Be designed so that a twenty-five (25) year storm event will be contained within the right-of-way of the street.

2. Collector Streets shall:

- a. Be designed so that a ten (10) year storm is contained within gutter flow if curb and guttered or within the borrow ditches if a rural section.
- b. Have culverts designed to carry the ten (10) year storm with head water depth not to exceed the diameter of the pipe.
- c. Be designed so that a twenty-five (25) year rain storm will be contained within the right of-way of the road or street with at least one lane of traffic open at all times.

3. Arterial Streets shall:

- a. Be designed so that a ten (10) year storm is contained within gutter flow if curb and guttered or within the borrow ditches if a rural section.
- b. Have culverts designed to carry the twenty-five (25) year storm with head water depth not to exceed the diameter of the pipe.
- c. Be designed so that a twenty-five (25) year rain storm will be contained within the right of-way of the road or street with at least one lane in each direction of traffic open at all times.

4. Storm drain systems shall be required with all urban section roadways and shall be designed to convey at least a 25yr storm post-development rate before detention or a 10yr storm pre-development rate after detention.

Driveway culverts must be sized according to the flow anticipated in the channel/ditch. The Engineer must submit calculations verifying these driveway culvert sizes and identify on the preliminary plat or preliminary submittal the locations of the various sized culverts. Culverts will be designed to convey a ten (10) year rain storm event and maintain a twenty-five (25) year rain storm event within the channel/ditch. All culvert pipe shall be constructed of pipe materials suitable for expected traffic loading such as reinforced concrete pipe (RCP), High-Density Polyethylene (HDPE), or High-Performance Polypropylene (HP).

(g) Major Storm Water Conveyances

Major Storm Water Conveyances are those in which are designed to capture runoff from multiple new subdivisions. Drainage ditches, storm sewer pipes, other conveyances, excluding those contained within the right-of-way of a street, shall:

1. Be designed to carry a twenty-five (25) year rain storm within the limits of the conveyance.
2. Be designed to carry a twenty-five (25) year storm at a minimum velocity to convey the storm water to the final outfall. To prevent erosion, the maximum velocity in the drain ditches shall be 3 fps for bare ground and 6 fps for vegetated ground.

The developer shall comply with regulations to attain approval for connection to a drainage system through a jurisdictional entity.

(h) Stormwater Management

1. The City Engineer shall determine the effect of each proposed development on existing drainage facilities outside of the area of development.
2. Detention is required when it is anticipated that the additional run-off incident to the development will overload an existing downstream drainage facility, provision shall be made for detention of stormwater run-off to such an extent necessary to alleviate the condition. The detention basin shall be designed to collect the post development 50-year rainfall event and release at the pre-development 10-year rainfall event. If the project is required to release less than the predevelopment 10-year flow (e.g., along a TxDOT roadway), the actual discharge rate shall be used to calculate the required storage of the detention basin.
3. Note, consistent with the TxDOT Hydraulic Criteria Manual and standard practice, detention design shall be based on runoff hydrograph routing procedures that account for the storage characteristics of the basin and

discharge characteristics of the outlet structure. The Modified Rational Method (MRM) shall be used to determine stormwater storage requirements. The calculations are carried out iteratively in a tabular form until a duration yields the greatest storage volume required.

(A)	(B)	(C)	(D)	(E)	(F)	(G)
Duration	Intensity	Q _{in}	Q _{out}	V _{in}	V _{out}	Storage
(min)	(in/hr)	(cfs)	(cfs)	(cf)	(cf)	(cf)

(A) – Duration in minutes

(B) – Intensity for respective duration

(C) – Developed conditions peak discharge

(D) – Developed conditions runoff volume

(E) – Pre-developed peak discharge

(F) – Pre-developed conditions runoff volume

(G) – Storage required (V_{in} – V_{out})

4. All pipes used to drain stormwater management/detention basins shall be of suitable material and sized for the ten (10) year rain storm pre-development rate.
 5. Storm runoff may be detained within parking lots. However, the engineer should be aware of the inconvenience to both pedestrians and traffic. The location of ponding areas in a parking lot shall be thoroughly planned to minimize this condition. Stormwater ponding depths in parking lots are the curb within the parking lot with a maximum of twelve (12 inches).
- (i) Design Storm Requirements
1. Drainage design shall be performed in accordance with these rules and the current version of the TxDOT Hydraulic Design Manual. The engineer shall provide supporting documentation for all calculations (e.g., impervious cover calculations for determining runoff coefficients when using the rational method). Rainfall intensity shall conform to NOAA Atlas 14 for storm drainage design.

2. All drainage standard details and specifications shall be in accordance with current City of Starbase and TxDOT standard details and specifications, unless otherwise provided in these rules.
3. Storm water runoff from subdivision lots shall be conveyed to streets or drainage courses as directly as possible. Storm water runoff from streets shall be conveyed as directly as possible to defined drainage courses off-site or to County-approved basins on-site.
4. Low Impact Design (LID) / Green Infrastructure (GI) elements are encouraged where possible.
5. All grading and drainage on a given tract shall not adversely affect adjacent properties and shall be in full accordance with Texas Water Code.
6. For grass-lined channels, including roadside channels/ditches, the maximum permissible velocity for the design storm is six (6) feet per second and includes all transitions to or from channels and waterways with similar or different materials. In all cases, the velocity for the design storm must be non-erosive. The minimum permissible velocity is two (2) feet per second.
7. All lot grading shall have a desired slope of 2.00%, and a minimum slope of 0.10%, for drainage over land.
8. The engineer shall strive to achieve a minimum depth of cover of 3 feet over all storm sewer in paved or unpaved areas where possible. If a minimum cover of 3 feet is not possible, the engineer shall provide a storm sewer type that is structurally capable of supporting the proposed loads.
9. All other utilities will maintain a minimum five (5) foot clearance, horizontally and vertically, from storm sewer.
10. All storm sewer and culvert pipe shall be constructed of pipe materials suitable for expected traffic loading such as reinforced concrete pipe (RCP), High-Density Polyethylene (HDPE), or High-Performance Polypropylene (HP). The minimum diameter of pipe shall be designed to a ten (10) year rain storm event.
11. All development within the floodplain shall comply with the City Floodplain Ordinance effective at the time the application is submitted.

Drainage Design Standards Design - Use TxDOT Hydraulics Design Manual found at:
<http://onlinemanuals.txdot.gov/txdotmanuals/hyd/index.htm>

Culverts, Pipes, Wingwalls and Other Structures – Use TxDOT Standards found at:
<http://www.dot.state.tx.us/insdtdot/orgchart/cmd/cserve/standard/bridge-e.htm>

6.8. FLOODPLAIN DEVELOPMENT GUIDELINES

The City of Starbase consists of floodplains, each based on different hydrologic assumptions:

The “FEMA Floodplains” are based on the most current version of the Flood Insurance Study and Flood Insurance Rate Maps (FIRM), as delineated by FEMA. They are developed based on existing conditions and land use at the time of the study.

FEMA Floodplains are designated according to varying levels of flood risk. The floodplain designations that will be most commonly involved with the development of projects within the City of Starbase are as follows: commonly involved with the development of projects within the City of Starbase are as follows: Zone AE (areas with 1% annual chance of inundation developed without analyses, with base flood elevation shown), and Zone VE (areas with a 1% or greater chance of flooding and an additional hazard associated with storm waves, with base flood elevation.)

These procedures are available to change and/or correct an existing FEMA Floodplain. These include a Letter of Map Amendment (LOMA), Electronic Letter of Map Amendments (eLOMA), Letter of Map Change (LOMC), Letter of Map Revision (LOMR), Letter of Map Revision on Fill (LOMR-F), and a Physical Map Revision (PMR). These are defined as follows:

- (a) LOMA – is an official amendment to an effective FIRM that may be issued when a property owner provides additional technical information from a licensed land surveyor or engineer, such as ground elevation relative to the BFE, SFHA, and the building. Lenders may waive the flood insurance requirement if the LOMA documents that a building is on ground above mapped floodplain. Used to remove a specific area or property from a FEMA designated floodplain.
- (b) eLOMA – is a web based application to submit simple LOMAs to FEMA
- (c) LOMC – a letter which reflects an official revision to an effective NFIP map.
- (d) LOMA (Out as Shown) – If a structure is identified as flood prone, but the flood map shows the structure outside of the floodplain, the LOMA (Out as Shown) process may assist a homeowner in removing the mandatory purchase requirement for flood insurance.
- (e) LOMR – is an official revision to an effective FIRM that may be issued to change flood insurance risk zones, special flood hazard areas and floodway boundary delineations, BFEs and/or other map features. Lenders may waive the insurance requirements if the approved map revision shows buildings to be outside of the SFHA. Used to modify an effective FIRM. Completed after construction of physical

measures that affect the hydrologic or hydraulic characteristics of an area. A LOMR is required when development is proposed in Zone A in order to establish a base flood elevation (BFE).

- (f) LOMR-F – is an official revision to an effective FIRM that is issued to document FEMA's determination that a structure or parcel of land has been elevated by fill above the BFE, and therefore is no longer in the SFHA. Lenders may waive the insurance requirement if the LOMR-F shows that a building on fill is above the BFE.
- (g) PMR – may be issued for major floodplain changes that require engineering analysis, such as bridges, culverts, channel changes, flood control measures, and large fills that change BFE or Floodway. Physical map revisions are also issued when a new study updates or improves the FIRM.

It is possible to exclude a single structure from the floodplain by placing it on a fill with sufficient freeboard above the base flood elevation. This procedure is referred to as a Letter of Map Revision – Fill (LOMR-F). LOMR-Fs shall not be allowed within playa overflow conveyance areas. A Conditional Letter of Map Revision (CLOMR) may be required at the discretion of the City Engineer prior to construction of proposed development within a floodway. If a Developer wishes to officially modify a City Floodplain, sufficient information shall be provided to the City such that the floodplains in the MDP can be updated appropriately.

6.9. FLOODPLAIN MANAGEMENT GUIDELINES

The objectives of floodplain management are to adopt effective floodplain regulations, improve local land use practices and regulations in flood prone areas, reduce losses from flooding, minimize adverse water quality impacts, and foster the creation/preservation of greenbelts, with associated societal, water quality, wildlife and other ecological benefits in urban areas. To accomplish all this one must create a program where they promote the natural and beneficial uses of the floodplain. These uses of the floodplain hold political, social, and economical value. Although hydrologic data are critical to the development of a floodplain management program, a successful program is largely dependent on a series of policy, planning, and design decisions. These area-wide decisions provide the setting for floodplain usage and, when combined with hydrologic considerations and augmented by administrative and other implementation devices, constitute a floodplain management program. The program must give high priority to both flood danger and public programs, such as urban renewal, open space, etc.

6.10. FLOODPLAIN MANAGEMENT STRATEGIES AND TOOLS

FEMA has developed a variety of floodplain management strategies and tools, as summarized in Table 6-6. Other strategies and tools may also be used.

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Table 6-6 Floodplain management strategies and tools

Strategy	Brief Description
Reduce Exposure to Floods	Reduce exposure to floods and disruptions by employing floodplain regulations and local regulations. The latter includes zoning, subdivision regulations, building codes, sanitary and well codes, and disclosure to property buyers
Development Policies	Development policies that include design and location of utility services, land acquisition, redevelopment, and permanent evacuation (purchase of properties).
Disaster Preparedness	Disaster preparedness is an important tool for safeguarding lives and property, and disaster assistance will reduce the impact to citizens from flooding.
Flood Proofing	Flood proofing of buildings is a technique that is wise and prudent where existing buildings are subject to flooding. Flood proofing can help a proposed project achieve a better benefit-cost ratio.
Flood Forecasting	Flood forecasting and early warning systems are important means to reduce flood losses, safeguard health, protect against loss of life and generally provide an opportunity for people to prepare for a flood event before it strikes.
Flood Modification	The use of methods to modify the severity of the flood is a floodplain management tool. These include regional detention, channelization, minimizing directly connected impervious areas, and on-site detention.

Modification of Flood Impacts	The impact of flooding can be mitigated (or modified) through education, flood insurance, tax adjustments, emergency measures, and a good post-flood recovery plan that can be initiated immediately following a flood.
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6.11. COMPLIANCE WITH NPDES PROGRAM & CLEAN WATER ACT PERMITTING REQUIREMENTS

New development and redevelopment that will result in disturbance of one, or five or more, acres of land must comply with the United States Environmental Protection Agency ("USEPA") National Pollution Discharge Elimination System ("NPDES") General Permits for Storm Water Discharges from Construction Activities in Region 6. Rules covering the requirements of the General Permit are published at 63 Federal Register 36489, July 6, 1998, and are available at the USEPA Region 6 website (www.epa.gov/earthlr6/gen/w/formsww.htm.) Individuals who intend to obtain coverage under the General Permit for Construction Activities must submit a Notice of Intent ("NOI") to the USEPA Region VI office in Dallas, Texas in accordance with the General Permit. The content of the NOI shall comply with the requirements of the NPDES General Permit for Storm Water Discharges from Construction Sites in Region 6, as published at 63 Federal Register 36489.

In addition to compliance with the NPDES program, it may be necessary to obtain a permit from the U.S. Army Corps of Engineers under Section 404 of the Clean Water Act. (33 U.S.C. §1344). Certain activities are covered by the Nationwide Permit Program ("NWP"). NWP's, which may be applicable in the development of subdivisions, include NWP 39, 41 and 43, among others. Applicability of NWP 39 and 43 is limited in areas within the 100-year Floodplain by General Condition 26. See, 65 Fed. Reg. 12818, March 9, 2000. (New NWP provisions were effective June 7, 2000.) Copies of all materials submitted to the District Engineer under an NWP or an application for an individual permit must be simultaneously provided to City of Starbase.

6.12. WATER UTILITY

(a) General provision.

1. All subdivisions in the city limits shall provide an adequate water distribution system and connect to a public water system in conformance with the standards of the public water service provider.
 - a. The city limits are serviced by various public water providers and it is the responsibility of the applicant to determine the public water provider that services their property.

2. Any new water main(s) must be designed by the developer's engineer, reviewed and approved by the utility provider, and installed by the developer's contractor prior to public water provider accepting such water facility or facilities for maintenance.
 - a. The developer's engineer will coordinate with both the City Engineer and public water provider to receive construction plan approval for the construction or modification of water facilities.
 3. The public water provider can prohibit a connection to an existing or proposed water system when they determine that a connection will exceed capacity or overload the water system to serve the anticipated water demand of the proposed development.
 4. In the absence of specific standards, all water supply, distribution, pumping, and storage improvements shall be designed in accordance with the most current standards of the American Water Works Association and the most current criteria included in the Texas Administrative Code (Title 30, Part 1, Chapter 290), Public Drinking Water.
 5. The public water provider shall make the final determination of the adequacy of the proposed system.
 6. The public water provider in coordination with the City Engineer may require the phasing of development or improvements to maintain adequate water capacity.
 7. All water mains shall be constructed within the street right-of-way and easements will be dedicated to the public water provider.
 - a. The public water provider shall determine placement and width of water easements.
- (b) Water line extension to subdivision perimeters.
1. All water lines installed within a subdivision must extend to the border and perimeter of the subdivision to allow for future water extensions to adjacent properties, regardless of whether such extensions are required for service within the subdivision.
- (c) Fire hydrants.
1. Fire hydrants shall be placed on block corners or near the center of the block to place all or every lot within a radius of five hundred (500) feet in residential areas, but under no circumstances shall a hose-lay for more than five hundred (500) feet be made from the fire hydrant to cover all of every lot within the Subdivision or tract under development.
 2. Fire hydrants shall be located in commercial and industrial areas so that all of every lot shall be within a radius of three hundred (300) feet, but under no

circumstances shall a hose-lay of more than three hundred (300) feet be made in order to adequately afford fire protection to the building or buildings.

3. A fire hydrant shall be placed at the entrance or at the end of all cul-de-sacs subject to review of the fire marshal in coordination with the public water service provider.
4. Hydrants must provide enough pressure for fire protection in accordance with the City's adopted fire codes subject to review and approval of the fire marshal in coordination with the public water service provider.
5. Fire hydrants will be constructed and shall maintain a minimum residual pressure of 20 psi for fire-fighting purposes. A fire hydrant flow test is to be performed using the two fire hydrants nearest the property and these results are used to calculate the fire flow available. (Refer to the 2015 International Fire Code B102.1)

6.13. WASTEWATER UTILITY

(a) General provisions.

1. All subdivisions in the City shall provide an approved means for wastewater collection and treatment and connection to an adequate public wastewater system in conformance with the standards of the public wastewater provider.
 - a. The city limits are serviced by various public wastewater providers and it is the responsibility of the applicant to determine the public water provider that services their property.
2. Any new wastewater main(s) must be designed by the developer's engineer, reviewed and approved by the utility provider, and installed by the developer's contractor prior to the public wastewater provider accepting the wastewater facility or facilities for maintenance.
 - a. The developer's engineer will coordinate with both the City Engineer and public wastewater provider to receive construction plan approval for the construction or modification of wastewater facilities.
3. The public wastewater provider can prohibit a connection to an existing or proposed wastewater system that they determine will exceed the capacity or overload the system to serve the anticipated wastewater demand of the proposed development.
4. The public wastewater provider in coordination with the City Engineer may require the phasing of development or improvements to maintain adequate wastewater capacity.
5. The public wastewater provider in coordination with the City Engineer shall make the final determination of the adequacy of the proposed system.

6. The public wastewater provider shall determine placement and width of wastewater easements.
- (b) Wastewater connection.
1. Any development with immediate access to an existing wastewater line shall connect to the utility.
 2. Any development occurring within five hundred (500) feet or less of an existing or proposed wastewater line shall extend and connect to the utility.
 3. Notwithstanding anything to the contrary, A development may use an on-site sewage facility (OSSF) that is permitted and will be constructed in accordance with the Texas Administrative Code (Title 30, Part 1, Chapter 285), On-Site Sewage Facilities and the City's OSSF ordinance.
 4. The City's designated representative will review and approve all septic system permits for any property in the city limits.
- (c) Wastewater line extension to subdivision perimeters.
1. All laterals and wastewater mains installed within a subdivision must extend to the borders of the subdivision as required for future extensions of the collection system, regardless of whether such extensions are required for service within the subdivision.
 2. If due to physical constraints, a new subdivision will never be constructed beyond a developing subdivision, the City Commission may approve a Subdivision Waiver Petition for this requirement prior to action on the Construction Plans or prior to action on any plat.

6.14. UTILITY PLAN

- (a) Applicability.
1. A utility plan shall include both 6.13 Water Utility and 6.14 Wastewater Utility requirements and may be required as part the plat applications in which the modification or extension of utilities is required for the proposed development.
 2. Utility plans shall comply with the criteria contained in the City's standard applications forms and checklists.
 3. Utility plans shall be subject to the development review process in **Table 2-1, "Approval Authority for Plats and Plans."**
- (b) Plan criteria.
1. Concurrent with the submission of a Plat or any other plan in which the modification of public utilities is required, the Developer shall submit a map or plan showing the location, size, depth and material of water utility and wastewater utility mains, which will be required to provide adequate service and fire protection to the lots specified in the proposed plat.

2. Utility plans shall show existing and proposed fire hydrant systems to show adequate fire protection as required in the City's fire code.
- (c) Coordination with other utility providers.
1. When the subdivision is in an area served by a utility provider other than the City, the developer is still required to provide a water system analysis, indicating adequate water supply and water quality for review by the City Engineer.
 2. When a subdivision is in an area served by a utility provider other than the City, the developer must provide a letter from the utility provider stating that facilities exist in the area to provide adequate domestic service and fire protection.
 3. If the City has reason to believe that there may be water supply or pressure concerns the City may require, a water system analysis, indicating adequate water supply and water quality.
 4. A plat will not be approved until a letter has been provided from the utility provider stating that they have accepted the plans for construction.

6.15. OTHER UNDERGROUND UTILITIES

- (a) General provisions.
1. All distribution lines, cables, or utilities shall be installed below ground within the subdivision to eliminate the necessity for disturbing the street, curb and gutter, sidewalk and other services and structures when making connections.
 - a. When a new subdivision is developed in an area with existing above ground utility lines, the developer shall be responsible for locating the lines within the subdivision and along its perimeter underground.
 - b. Transmission lines or major cables to provide utilities such as electric, telephone, and cable television to the area may be located above ground on the perimeter of the subdivision being served, subject to discretion of the City Engineer.
 - c. The installation of these utilities shall conform to commonly accepted construction standards, subject to discretion of the City Engineer.
 2. The developer or property owner shall provide separate service lines for water and wastewater to each lot or point of metering.
 3. The developer or property owner shall coordinate with all other appropriate utility companies for the extension of their respective utility lines and service to and within the addition and for any costs or refunds of such cost.
 4. All plats and site plans for residential and multi-family developments shall require all internal telephone lines, cable television lines, electric lines, and utility lateral and services lines and wires to be placed underground except as otherwise herein provided.

- a. In special or unique circumstances or to avoid undue hardships, a Subdivision Waiver Petition may be approved by the City Engineer to permit the construction and maintenance of overhead electric utility lateral or services lines and of overhead telephone and cable tv lines and may approve any plat or site plan with such approved variances, waivers, or exceptions.
 - b. Where electrical service is to be placed underground, street or site facilities shall also be placed underground.
 - c. All electrical, cable television, and telephone support equipment (transformers, amplifiers, switching devices, etc.) necessary for underground installations in subdivisions shall be pad mounted or placed underground.
 - d. Nothing herein set forth shall prohibit or restrict any utility company from recovering the difference between the cost of overhead facilities and underground facilities.
 - i. Each utility whose facilities are subject to the provisions of this City Ordinance shall develop policies and cost reimbursement procedures with respect to the installation and extension of underground service.
 - e. Unless specifically stated otherwise, temporary construction service may be provided by overhead utility lines and facilities without obtaining a waiver.
5. All installations regulated by the provisions set forth herein shall be in conformance with the intent of this Ordinance and shall conform to any regulations or specifications that the various public utility companies may have in force from time to time.
6. Nothing in this article shall be construed to require any existing facilities to be placed underground when no development is proposed.
- (b) Company notification to city.
1. All utility companies will notify the City, in writing, at least forty-eight (48) hours before digging, boring, drilling, etc.

Appendix A

City of Starbase - Plat Application Requirements Checklist

For Plat Application Submittal Completeness:

- ☐ Completed City Plat Application Form
 - ☐ Preliminary ☐ Final ☐ Replat ☐ Minor ☐ Conveyance ☐ Survey ☐ Amending ☐ Vacating
- ☐ Application Fee (per adopted Fee Schedule)
- ☐ Proof of Ownership or Letter of Authorization

Minimum requirements for Preliminary Plat Submittals:

- ☐ Surveyor's signed and sealed boundary survey from a Texas Registered Professional Land Surveyor with metes and bounds
- ☐ Included in plat or as separate exhibits:
 - ☐ Vicinity Map with project location
 - ☐ Reference to original survey name and abstract number or previous Plat with recording information (if applicable)
 - ☐ Gross acreage
 - ☐ Right-of-way acreage, if dedicated and/or reserved
 - ☐ Proposed lot layout, block numbers, dimensions and setbacks if applicable
 - ☐ Existing & proposed easements and rights-of-way
 - ☐ Proposed phasing plan (if applicable)
 - ☐ Floodplain boundaries, if applicable (FEMA data referenced)
 - ☐ Plat note indicating minimum finished floor elevation (MFF) to be 1-foot above base flood elevation.

Minimum Requirements for Other Plat Submittals where indicated:

- ☐ Legal description (metes and bounds) matching plat boundary
- ☐ Vicinity Map with project location
- ☐ Reference to original survey name and abstract number or previous Plat with recording information (if applicable)
- ☐ Gross acreage
- ☐ Right-of-way acreage, if dedicated and/or reserved;
- ☐ Proposed lot layout, block numbers, dimensions and setbacks if applicable
- ☐ Proposed phasing plan (if applicable)
- ☐ Floodplain boundaries, if applicable (FEMA data referenced)
- ☐ Parkland dedication plan (if applicable)
- ☐ Existing & proposed easements and rights-of-way
- ☐ Exact boundary dimensions with bearings and distances
- ☐ Acreage and square footage of individual proposed lots to 2 digits for each lot, tract, or site (e.g., 3.65 acres), such information shall be shown in a table on the Plat.
- ☐ Locations, materials, and size of all monuments found and set;
- ☐ Floodplain boundaries, if applicable (FEMA data referenced)
- ☐ Plat note indicating minimum finished floor elevation (MFF) to be 1-foot above base flood elevation.
- ☐ Restrictive covenants filing information (if required)
- ☐ Name(s), address, phone number and email of preparer, record owner, developer, engineer, and/or surveyor
- ☐ Location and dimensions of all boundary lines, lot lines, the City limit line (if any), and/or the outer border of the City's extraterritorial jurisdiction when such lines or borders traverse or are contiguous to or within 200 feet of the subdivision.
- ☐ Location, dimensions, purpose, and filing information for all existing and proposed public areas, Easements, Rights-of-Way dedications, and Right-of-Way reservations, including, but not limited to streets, highways, Alleys, and railroads, within and Abutting the property.
- ☐ Subdivision name of all adjacent Platted properties in Public Records of Cameron County, Texas (P.R.C.C.T.) within 200 feet shown in dashed lines, labeling the lot and block numbers, subdivision name, street names and Plat record reference or record ownership information of all adjacent unplatted properties in Deed Records of Cameron County, Texas (D.R.C.C.T.) within 200 feet, to include owners across any adjacent Right-of-Way with recording information.
- ☐ Title Block including:
 - ☐ Plat Type
 - ☐ Subdivision name with section or phase, if applicable
 - ☐ Total number of lots and HOA/Open Space Lots
 - ☐ Reference to original survey name and abstract number or previous Plat with recording information.
 - ☐ Gross acreage
 - ☐ Right-of-way acreage, if dedicated and/or reserved; and
 - ☐ Date of preparation and subsequent revisions.
 - ☐ Name(s), address, phone number and email of preparer, record owner, developer, engineer, and/or surveyor
- ☐ Date of preparation and subsequent revisions.
- ☐ 3"X3" block for County recording seal.

Signature Blocks Requirements for Plat Submittal (as applicable):

- ☐ Certificate of Ownership and Dedication
- ☐ Certificate of Registered Professional Land Surveyor
- ☐ Certification by the City Authority
- ☐ Engineer's Certification
- ☐ Tax Assessor Certification
- ☐ Notarized Lien Holder's Acknowledgement
- ☐ Other signatures as required by the City and Cameron County

For Final Plat Submittals:

- ☐ Approved Preliminary Plat
- ☐ Approved Construction Documents
- ☐ Minimum requirements for Plats
- ☐ Subdivision construction improvements complete and accepted by City of Starbase; OR
- ☐ Subdivision construction improvement escrow or bond complete and accepted by City of Starbase, if applicable
- ☐ Final Plat approval by City Commission
- ☐ Tax Certificate showing no delinquent taxes
- ☐ One (1) 24x36 mylar of the Plat with all original seals and signatures as required by the City and Cameron County for filing purposes.

For Minor Plat Submittals:

- ☐ Minimum requirements for Plats
- ☐ Name(s), address, phone number and email of preparer, record owner, developer, engineer, and/or surveyor
- ☐ Legal description (metes and bounds) matching plat boundary
- ☐ Final Minor Plat approval by City Staff and/or City Commission where applicable
- ☐ Tax Certificate showing no delinquent taxes
- ☐ One (1) 24x36 mylar of the Plat with all original seals and signatures as required by the City and Cameron County for filing purposes.

For Replat Submittals:

- ☐ Minimum requirements for Plats
- ☐ Approved Preliminary Plat (if applicable)
- ☐ Documentation of previous plat recordation (reference volume/page)
- ☐ Existing lot lines shown "ghosted" or "hidden" lines
- ☐ Replat approval by City Staff and/or City Commission where applicable
- ☐ Tax Certificate showing no delinquent taxes
- ☐ One (1) 24x36 mylar of the Plat with all original seals and signatures as required by the City and Cameron County for filing purposes.

For Amending Plat Submittals:

- ☐ Purpose of amendment clearly stated (e.g., correct error, relocate lot line)
- ☐ Minor correction only; no creation of new lots or need for public hearing
- ☐ Prior recorded plat referenced (volume and page)
- ☐ Owner consent statement
- ☐ Amending Plat approval by City Staff and/or City Commission where applicable
- ☐ Tax Certificate showing no delinquent taxes
- ☐ One (1) 24x36 mylar of the Plat with all original seals and signatures as required by the City and Cameron County for filing purposes.

For Conveyance Plat Submittals:

- ☐ Notation: 'NOT FOR DEVELOPMENT PURPOSES' on plat face
- ☐ Access easements (if necessary)
- ☐ Disclosure statement that platting for development will be required prior to any building permit
- ☐ Conveyance Plat Approval by City Staff and/or City Commission where applicable
- ☐ Tax Certificate showing no delinquent taxes
- ☐ One (1) 24x36 mylar of the Plat with all original seals and signatures as required by the City and Cameron County for filing purposes.

For Survey Plat Submittals:

- ☐ Surveyor's signed and sealed plat from a Texas Registered Professional Land Surveyor showing
 - ☐ Name(s), address, phone number and email of preparer, record owner, developer, engineer, and/or surveyor
 - ☐ Exact boundary dimensions with bearings and distances
 - ☐ Locations, materials, and size of all monuments found and set;
 - ☐ Floodplain boundaries, if applicable (FEMA data referenced)
 - ☐ Plat note indicating minimum finished floor elevation (MFF) to be 1-foot above base flood elevation
 - ☐ Restrictive covenants (if required)
 - ☐ Title Block including:
 - ☐ Plat Type
 - ☐ Reference to original survey name and abstract number or previous Plat with recording information.
 - ☐ Gross acreage
 - ☐ Date of preparation and subsequent revisions.
- ☐ 3"x3" block for County recording seal.
- ☐ Tax Certificate showing no delinquent taxes
- ☐ One (1) 24x36 mylar of the Plat with all original seals and signatures as required by the City and Cameron County for filing purposes.

Additional Items Where Applicable

- ☐ Variance request(s) with supporting documentation
- ☐ Traffic Impact Analysis (TIA) if required
- ☐ Drainage study or report
- ☐ Preliminary Utility (Water/Sewer) Plan
- ☐ On-site sewage facility (OSSF) Permit
- ☐ HOA creation documents